



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 49]

नई दिल्ली, शनिवार, विसम्बर 3, 1994/अग्रहायण 12, 1916

No. 49] NEW DELHI, SATURDAY, DECEMBER 3, 1994/AGRAHAYANA 12, 1916

इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्त मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि न्याय और कानूनी कार्य मंत्रालय

(विधि कार्य विभाग)

(न्यायिक प्रनुभाग)

सूचना

नई दिल्ली, 31 अक्टूबर, 1994

का.आ. 3356.—नोटरीज नियम, 1956 के नियम 6
के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है
कि श्री बी. एच. शाह, एडवोकेट ने उक्त प्राधिकारी को उक्त
नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए
दिया है कि उसे महाराष्ट्र में व्यवसाय करने के लिए नोटरी
के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना
के प्रकाशन के छोरह दिन के भीतर नियुक्ति रूप से मेरे पास
भेजा जाए।

[सं. एफ 5(161)/94-न्यायिक]
पी. सी. कण्णन, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE & CO. AFFAIRS

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 31st October, 1994

S.O. 3356.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the
Notaries Act, 1956 that application has been made
to the said Authority, under Rule 4 of the said
Rules, by Sh. B. H. Shah, Advocate for appointment
as a Notary to practise in Maharashtra State.

2. Any objection to the appointment of the said
person as a Notary may be submitted in writing to
the undersigned within fourteen days of the publication
of this notice.

[No. F. 5.(161)/94-Judl.]
P. C. KANNAN Competent Authority

मूच्छना

नई दिल्ली, 31 अक्टूबर, 1994

का. आ. 3357.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूच्छना दी जाती है कि श्री आर. चेलाप्पा, एडवोकेट, ने उक्त प्राधिकारी वो उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मद्रास सिटी (तमिलनाडु) में व्यवसाय करने के लिए नोटरी के रूप में नियक्ति पर किसी भी प्रकार का आपेक्षा इस मूच्छना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(160)/94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 31st October, 1994

S.O. 3357.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. R. Chellappa, Advocate for appointment as a Notary to practise in Madras City (Tamil Nadu).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (160)/94-Judl]

P. C. KANNAN, Competent Authority

नई दिल्ली, 7 नवंबर, 1994

मूच्छना

का. आ. 3358.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूच्छना दी जाती है कि श्री अमरनाथ मागो, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे राष्ट्रीय राजधानी भरकार दिल्ली क्षेत्र में व्यवसाय करने के लिए नोटरी के रूप में नियक्ति पर किसी भी प्रकार का आपेक्षा इस मूच्छना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(155)/94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 7th November, 1994

S.O. 3358.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Amar Nath Mago, Advocate for appointment as a Notary to practise in NCT of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (155)/94-Judl]

P. C. KANNAN, Competent Authority

मूच्छना

नई दिल्ली, 7 नवंबर, 1994

का. आ. 3359.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूच्छना दी जाती है कि श्री मुरेज गोपाल भगवत एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे महाराष्ट्र राज्य में व्यवसाय करने के लिए नोटरी के रूप में नियक्ति पर किसी भी प्रकार का आपेक्षा इस मूच्छना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाये।

[सं. 5(156)/94-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 7th November, 1994

S.O. 3359.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Suresh Gopal Bhagwat, Advocate, for appointment as a Notary to practise in Maharashtra State.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (156)/94-Judl]

P. C. KANNAN, Competent Authority

मूच्छना

नई दिल्ली, 7 नवंबर, 1994

का. आ. 3360.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूच्छना दी जाती है कि श्री मुमानीनाथ गांतिलाल बालशेता एडवोकेट उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अहमद नगर जिला (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियक्ति पर किसी भी प्रकार का आपेक्षा इस मूच्छना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(158)/94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 7th November, 1994

S.O. 3360.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Sumatilal Shantilal Baldota, Advocate for appointment as a Notary to practise in Ahmednagar Distt. (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (158) 94-Judl.]

P. C. KANNAN, Competent Authority

मूल्यना

नई दिल्ली, 7 नवंबर, 1994

का.प्रा. 3361.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूल्यना दी जाती है कि श्री अशोक रचोत्याहीरमथ, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अंतीन एक आवेदन इस बात के लिए दिया है कि उसे रायबाग नालका बंलगाव जिला (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस मूल्यना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(162) 94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 7th November, 1994

S.O. 3361.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Ashok Rachotayya Hiramath, Advocate for appointment as a Notary to practise in Raibagh Taluka, Distt. Belgaum (Karnataka).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (162) 94-Judl.]

P. C. KANNAN, Competent Authority

मूल्यना

नई दिल्ली, 7 नवंबर, 1994

का.प्रा. 3362.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूल्यना दी जाती है कि श्री शिव गोपाल सिंह एडवोकेट ने उक्त प्राधिकारी

को उक्त नियम के नियम 4 के अंतीन एक आवेदन इस बात के लिए दिया है कि उसे चौकिणी एवं तीम हजारी कार्ट (गण्डीय राजधानी दिल्ली, द्वीप) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस मूल्यना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(159) 94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 7th November, 1994

S.O. 3362.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Shiv Gopal Singh Advocate for appointment as a Notary to practise in Rohini & Tis Hazari, NCT of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (159) 94-Judl.]

P. C. KANNAN, Competent Authority

मूल्यना

नई दिल्ली, 14 नवंबर, 1994

का.प्रा. 3363.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह मूल्यना दी जाती है कि श्री लक्ष्मेन्द्र पाल गुप्ता, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के प्रतीन एक आवेदन इस बात के लिए दिया है कि उसे बुलन्दशहर (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस मूल्यना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(169) 94-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 14th November, 1994

S.O. 3363.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Sh. Lakshmendra Pal Gupta, Advocate for appointment as a Notary to practise in Buland-Shahar (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5. (169) 94-Judl.]

P. C. KANNAN, Competent Authority

गृह मंत्रालय

नई दिल्ली, 14 नवम्बर, 1994

का.आ. 3364—केन्द्रीय सरकार राजभाषा । (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में गृह मंत्रालय के निम्नलिखित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80 प्रतिशत से अधिक हो जाने के फलस्वरूप उन्हें एतद्वारा अधिसूचित करती हैः—

1. सेनानी, 11वीं वाहिनी, भारत तिब्बत सीमा पुलिस
2. सेनानी, 13वीं वाहिनी, भारत तिब्बत सीमा पुलिस
3. सेनानी, 15वीं वाहिनी, भारत तिब्बत सीमा पुलिस

MINISTRY OF HOME AFFAIRS

New Delhi, the 14th November, 1994

S.O. 3364 :—In pursuance of Sub Rule (4) of Rule 10 of the Official Languages (use for the Official Purposes of the Union) Rule 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs where the percentage of Hindi knowing staff has gone above 80 per cent :—

1. Commandant,	11th Battalion	Indo-Tibetan	Border	Police
2. Commandant,	13th Battalion	“	“	“
3. Commandant,	15th Battalion	“	“	“
4. Commandant,	16th Battalion	“	“	“
5. Commandant,	17th Battalion	“	“	“
6. Commandant,	19th Battalion	“	“	“
7. Commandant,	23rd Battalion	“	“	“
8. Commandant,	24th Battalion	“	“	“
9. Commandant,	Base Hospital,	Indo-Tibetan	Border	Police
10. Office of the DJG (Punjab), Indo-Tibetan Border Police.		Regional Head	Quarter	(Punjab),

[संख्या 12017/1/94 हिन्दी]

के.सी. कपूर, निदेशक (राजभाषा)

महानिदेशालय असम राइफल्स का कार्यालय

गिलांग, 26 नवम्बर, 1994

का.आ. 3365—अधोहस्ताक्षरी का मत है कि श्री जी के हजारिका, सहायक, यूनिट वेतन एवं लेखा कार्यालय, महानिदेशालय असम राइफल्स, गिलांग, में संवेधित विभागीय जांच हेतु भूतपूर्व (एकम) नं. 55600 राइफल्स मैन मान बहादुर वारजी को साक्षी रूप में हाजिर होने/उनसे दस्तावेज पेश करने हेतु समन भेजा जाये।

2. इसलिये अधोहस्ताक्षरी विभागीय जांच (साक्षियों को हाजिर कराना तथा दस्तावेज पेश कराना) अधिनियम, 1972 (1972 का 18) के उपधारा (2) धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए एतद्वारा श्री ए. दत्त चौधरी, लेखा अधिकारी, महानिदेशालय असम राइफल्स, गिलांग, को श्री जो. के. हजारिका, सहायक, यूनिट वेतन एवं लेखा कार्यालय, महानिदेशालय असम राइफल्स, शिलांग, से संवेधित विभागीय जांच हेतु जांच प्राधिकारी के रूप में अधिनियम की धारा 5 में उल्लिखित शक्तियों के तहत साक्षी को हाजिर कराने/दस्तावेज पेश कराने के लिये प्राधिकृत करता है।

[सं. I-12015/35/93-भनुगासन/115]

वाई एम बम्मी, ले. जनरल, महानिदेशक असम राइफल्स

4. सेनानी, 16वीं वाहिनी, भारत तिब्बत सीमा पुलिस
5. सेनानी, 17वीं वाहिनी, भारत तिब्बत सीमा पुलिस
6. सेनानी, 19वीं वाहिनी, भारत तिब्बत सीमा पुलिस
7. सेनानी, 23वीं वाहिनी, भारत तिब्बत सीमा पुलिस
8. सेनानी, 24वीं वाहिनी, भारत तिब्बत सीमा पुलिस
9. सेनानी आधार चिकित्सालय, भारत तिब्बत सीमा पुलिस
10. उप महानिरीक्षक (पंजाब) का कार्यालय, शेन्वीय मुख्यालय (पंजाब) भारत तिब्बत सीमा पुलिस।

[संख्या 12017/1/94 हिन्दी]

के.सी. कपूर, निदेशक (राजभाषा)

OFFICE OF THE DIRECTORATE GENERAL, ASSAM

RIFLES

Shillong, the 26th September, 1994

S.O. 3365.—Whereas the undersigned is of the opinion that for the purpose of departmental inquiry relating to Shri G. K. Hazarika, Assistant, Unit Pay Accounts Office, Directorate General, Assam Rifles Shillong, it is necessary to summon as witness/call for any document from Ex. No. 55600 Rfn Man Bahadur Darjee.

2. Now, therefore, in exercise of the powers conferred by Sub-section (2) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of witnesses and Production of Documents) Act, 1972 (18 of 1972), the undersigned hereby authorises Shri A. Dutta Choudhury, Accounts Officer, Directorate General Assam Rifles, Shillong as the inquiring Authority to exercise the powers specified in Section 5 of the Act in relation to summoning and enforcing the attendance of witness/production of documents in connection with departmental inquiry relating to Shri G. K. Hazarika, Assistant, Unit Pay Accounts Office, Directorate General, Assam Rifles, Shillong.

[No. I. 12015/35/93-Discp/115]

Y. M. BAMMI, Lt. Gen. Director General Assam Rifles

विन मंत्रालय

(राजस्व विभाग)

आयकर महानिदेशक (छूट) का कार्यालय

कलकत्ता, 21 सितम्बर, 1994

आयकर

का.प्रा. 3366—संवर्धनाधारण का एतद्वारा मूचित किया जाता है कि निम्नलिखित संगठन को, आयार अधिनियम, 1961 की धारा 35 का उपधारा (1) के खण्ड (2) के लिये, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहिर्यां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रोद्योगिकी भवन, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा; और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) साचेक, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग प्रीर (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके थेलाधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च क्रियाकलाप सम्बन्धित छूट के बारे में लेखा परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

डालमिया इंस्टिच्यूट ऑफ साइंटिफिक एन्ड इंडिस्ट्रियल रिसर्च, पोस्ट बॉक्स नं.-2 राजगंगपुर 77007 जि. सुन्दरगढ़, उडिशा, इंडिया

यह अधिसूचना दिनांक 1-4-1994 से 31-3-1995 तक की अवधि के लिए प्रभाधी है।

टिप्पणी : (1) उपर्युक्त शर्त (i) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुमाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके थेलाधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में, किये गए आवेदन

पद की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग का प्रस्तुत करना है।

[संचार : 1217/एफ.स. उडीसा-1 भ.नि./आ.क. (छूट)
90-91/35(1)(ii)]

राजेन्द्र सिंह, उप निदेशक

MINISTRY OF FINANCE

(Department of Revenue)

OFFICE OF THE DIRECTOR GENERAL OF INCOME-TAX (EXEMPTIONS)

Calcutta, the 21st September, 1994

(INCOME-TAX)

S.O. 3366.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Dalmia Institute of Scientific and Industrial Research, Post Box No. 2, Rajgangpur-77007, District Sundargarh, Orissa, India.

This Notification is effective for the period from 1-4-1994 to 31-3-1995.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1217/F. No. DG/IT(E)/Cal/O-1/35(1)(ii)/90-91]

R. SINGH, Dy. Director

কলকাতা, 21 সিতাম্বর, 1994

আয়কর

কা.শ্র. 3367:—সর্বসাধারণ কো. পতেক্ষণ মুক্তি কিয়া জাতা হৈ কি নিম্ননিখিত সংগঠন কো. আয়কর অধিনিয়ম, 1961 কো ধারা 35 কো উপন্যাস (1) কে খণ্ড (ii) কে লিপ, আয়কর নিয়ম কে নিয়ম 6 কে অধীন বিহুন প্রতিকারী কো. নিম্ননিখিত শর্তোঁ পৰ “সংঘ” সংবর্গ কে অধীন অনুমতি দিত কিয়া গয়া হৈ:—

- (1) সংগঠন অনুসংঘান কার্যোঁ কে নিয়া অলগ লেখা বাহিয়া রাখেগা।
- (2) যহু অপন বৈজ্ঞানিক অনুসংঘান সংবংধী কার্যোঁ কা এক ত্বারিক বিক্রয় প্রত্যেক বিনোদ বৰ্ষ কে নিয়ে প্রত্যেক বৰ্ষ কে 31 মই তক সচিব, বৈজ্ঞানিক ও প্রৌদ্যোগিক অনুসংঘান বিভাগ, “প্রৌদ্যোগিক ভবন”, ন্যু মেহুরালী রোড, নই দিল্লী-110016 কো ভেজেগা আৰু
- (3) যহু প্রত্যেক বৰ্ষ কে 31 অক্টুবৰ তক লেখা-পৰীক্ষিত বাস্তিক লেখা কী প্রতি (ক) আয়কর মহানির্দেশক (ছুট), (খ) সচিব, বৈজ্ঞানিক তথা প্রৌদ্যোগিক অনুসংঘান বিভাগ আৰু (গ) আয়কর আয়কৃত/আয়কর মহানির্দেশক (ছুট) জিনকে ক্ষেত্ৰাধিকাৰ মেঁ উক্ত সংগঠন পড়তা হৈ আৰু আয়কর অধিনিয়ম, 1961 কো ধারা 35 (1) মেঁ দী গই রিসৰ্চ ক্ৰিয়াকলাপ সংবিধিত ছুট কে বাবে মেঁ লেখা-পৰীক্ষা আয়-আয় হিসাব কী ভী প্ৰস্তুত কৰেগা।

সংগঠন কা নাম

গ্ৰাগনিন রিসৰ্চ সেন্টাৰ,
7, বুড় স্ট্ৰীট, কলকাতা-700015

যহু অধিসূচনা দিনাংক 1-4-94 সে 31-3-1995 তক কী অবধি কে নিয়া প্ৰস্তুতি হৈ।

টিপ্পণী 1. উপযুক্ত শর্ত (i) “সংঘ” জৈসা সংবৰ্গ কে নিয়ে লাগু নহীন হোগা।

2. সংগঠন কো মুক্ষাব দিয়া জাতা হৈ কি বে অনুমোদন কী অবধি বদ্ধানে কে নিয়া আয়কর আয়কৃত/আয়কর নির্দেশক (ছুট) জিনকে ক্ষেত্ৰাধিকাৰ মেঁ সংগঠন পড়তা হৈ কে মাধ্যম সে আয়কর মহানির্দেশক (ছুট), কলকাতা কো নীন প্ৰতিয়োঁ মেঁ আবেদন কৰে, অনুমোদন কী

অবধি বদ্ধানে কে সংবৰ্গ মেঁ কিণ আবেদন-পত্ৰ কী 6 প্ৰতিয়োঁ সচিব, বৈজ্ঞানিক আৰু প্ৰৌদ্যোগিক অনুসংঘান বিভাগ কো প্ৰস্তুত কৰনা হৈ।

[সংঘা : 1218 (এক. সং. ডব্ল্যু-বি. -24 ম নি., শ্বাক. /
(ছুট) 35 (1) (ii)]

রাজেন্দ্ৰ গিৰু, উপ নির্দেশক

Calcutta, the 21st September, 1994

(INCOME-TAX)

S.O. 3367.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Association” subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, “Technology Bhawan”, New Mehranli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act 1961.

NAME OF THE ORGANISATION

Organon Research Centre,
7, Wood Street, Calcutta-700015.

This notification is effective for the period from 1-4-1994 to 31-3-1995.

NOTES:

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1218/F. No. DG/IT(F)/WB-24/35(1)(ii)]

R. SINGH, Dy. Director

करकना, 21 सितम्बर, 1994

आयकर

का.आ. 3368 :—मर्वमाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राविकारी द्वारा निम्नलिखित गतीय पर “संस्थान” संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेवा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू मेहराली रोड, नई दिल्ली-110016 को भेजेगा और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेवा-परीक्षित वार्षिक लेवा की प्रति (क) आयकर महानियंदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानियंदेशक (छूट) जिनके ध्येत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिकर्च किया गया मान्यता छूट के बारे में लेवा-परीक्षित आय-अय डिसाव का भी प्रस्तुत करेगा।

संगठन का नाम

सेन्टर फार द स्टडी आफ डेवलोपिंग
सोसाइटीज, 29, राजपुर रोड,
दिल्ली-110054

यह अधिसूचना दिनांक 1-4-1994 से 31-3-1995 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त गतीय (1) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर नियंदेशक (छूट) जिनके ध्येत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानियंदेशक (छूट), कलकना को तीन प्रतियों में आवेदन करें, अनुमोदन की

अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[मंख्या : 1219/एफ. सं. एन डी-102/म.नि./ग्रा.क.
(छूट) 35 (1) (iii)]
राजेन्द्र सिंह, उप नियंदेशक

Calcutta, the 21st September, 1994

INCOME-TAX

S.O. 3368.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Centre for the Study of Developing Societies,
29, Rajpur Road,
Delhi-110054.

This notification is effective for the period from 1-4-1994 to 31-3-1995.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions). Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1219/F. No. DG/IT(E)/ND-102/35(1)(iii)]
R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का. ग्रा. 3369 :—मर्वमाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संबंध के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक कित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू बेहरीली रोड, नई दिल्ली-110016 को भेजेगा; और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परोक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दो गई रिमार्ज किया गया सम्बन्धित छूट के बारे में लेखा-परोक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

भारती संस्कृति विद्या निकेतन,
12, शंकर कुंज गोविन्द नगर,
वाटकोपर, बम्बई-400084।

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त (1) “संघ” जैसा संबंध के लिए लागू नहीं होगा।
2. संगठन को मुमाल दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[भंग्या : 1220/एफ.सं. एम-163 / म.नि./आ.क.
(छूट) 35 (1) (iii)]
राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994

INCOME-TAX

S.O. 3369.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October, each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Bharti Sanskrita Vidya Niketanam,
12, Shanker Kunj, Govind Nagar,
Ghatkopar, Bombay-400084.

This notification is effective for the period from 1-4-1994 to 31-3-1997.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1220/F. No. DG/IT(E)/M-163/35(1)(iii)]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का० आ० 3370 मर्वमाधारण को सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संबंध के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा को प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग; और (ग) आयकर आयकर/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिकॉर्ड किया गया अवधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

दि मर्दस भवित्व सोसाइटी,
फैजैट-4, वेनकाटा नगर पाक्षटेगन,
पांडिचेरी-605011

यह अधिसूचना दिनांक 1-4-1992 से 31-3-93 तक की प्रवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संबंध के लिए नाम नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयकर/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[संख्या: 1221 / एफ.स. पन-1 प.नि./गा.क. (छूट)
35 (1) (iii)]

राजेन्द्र गिर्ह, उप निदेशक

Calcutta, the 21st September, 1994

(INCOME-TAX)

S.O. 3370.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:—

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961

NAME OF THE ORGANISATION

The Mother's Service Society,
Plot-4, Venkata Nagar-Extension,
Pondicherry-605011.

This notification is effective for the period from 1-4-1992 to 31-3-93.

NOTES:

(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1221/F. No. DG/IT(E)/PON-4/35(1)(iii)]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का.आ. 3371:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित गतों पर "संस्थान" संबंध के अधीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहिर्योग होगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयकर/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिकॉर्ड कार्यों गंवंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

एडमिनिस्ट्रेटिव राफ कारेज' ग्राफ इंडिया,
विनावाटा,
ट्रैक्स-500049

यह अधिसूचना दिनांक 25-1-93 से 31-3-95 का
की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए
लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनु-
मोदन की अवधि बढ़ाने के लिए आयकर
आयुक्त/आयकर निदेशक (छूट) जिनके
भेत्राधिकार में संगठन पड़ता है के माध्यम से
आयकर महानिदेशक (छूट), कलकत्ता को
तीन प्रतियों में आवेदन करें, अनुमोदन की
अवधि बढ़ाने के संबंध में किए आवेदन-पत्र
में 6 प्रतियों सचिव, वैज्ञानिक और औद्योगिक
अनुसंधान विभाग का प्रस्तुत करना है।

[संख्या : 1222/ए. सं. ए पी-9 म.नि./आ.
के. (छूट) 90/35 (1) (iii)]

राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994

(INCOME-TAX)

S.O. 3371.—It is hereby notified for general information
that the organisation mentioned below has been approved by
the Prescribed Authority under Rule 6 of the Income-tax
Rules, for the purpose of clause (iii) of sub-section (1) of
Section 35 of the Income-tax Act, 1961 under the category
"Institution" subject to the following conditions :—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Administrative Staff College of India,
Bella Vista,
Hyderabad-500049.

This notification is effective for the period from 25-1-1993
to 31-3-1995.

NOTES :

- Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1222/F. No. DG/IT(E)/AP-9/35(1)(iii)90]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का.आ. 3372.—सर्वसाधारण को एनद्वारा मूल्यित किया
जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम,
1961 की धारा 35 के उपधारा (1) के खंड (ii)
के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधि-
कारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन
अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-ज़िग्गिंग
रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का
एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष
के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान
विभाग, "प्रौद्योगिकी भवन", न्यू मेह्राली रोड, नई
दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षीत
वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट),
(ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग
और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके
भेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम,
1961 की धारा 35(1) में दी गई रिसर्च किया
गया संवर्धित छूट के बारे में लेखा परीक्षीत आय-व्यय हिसाब
को भी प्रस्तुत करेगा।

संगठन का नाम

दि साऊथ इंडिया टेक्सटाइल रिसर्च एसोसिएशन,
कोयम्बतूर-641014

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की
अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के
लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन
की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक
(छूट) जिनके भेत्राधिकार में संगठन पड़ता है के माध्यम से
आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में

आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1223/एफ. सं./टी.एन.-36/म.नि./आ.क. (छूट)/90/35 (1) (ii)]
राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994
INCOME-TAX

S.O. 3372.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of Audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

The South India Textile Research Association, Coimbatore-641014.

This notification is effective for the period from 1-4-1994 to 31-3-1997.

NOTES:

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1223/F. No. DG/IT(E)/TN-36/35(1)(ii)90]
R. SINGH, Dy. Director

कलकत्ता, 21 दिसंबर, 1994

आयकर

का धा. 3373.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन

विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "अनुसंधान" संवर्ग के अधीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अतद्य लेखा वर्त्त्या रखेगा;

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक विनियोग वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक नेट्रो-परीक्षित वार्षिक लेखा की प्रति (क) आदान पर महानिदेशक (छूट), (ब) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है, और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों से संबंधित लूट के बारे में निया-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

पूल रिसर्च एसोसिएशन,
पोस्ट आफिस-सेंटर, वारा-
प्रक्वर कैम्प रोड, थारे-100607

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त धारा (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमदित को अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां भर्चुव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1223/एफ. सं. एम-101/प. नि./था. ए.
(छूट) 90/35 (1) (ii)]
राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994

INCOME-TAX

S.O. 3373.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of

section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Wool Research Association
P.O. Sandoz Baug, Akbar Camp Road,
Thane-400607.

This notification is effective for the period from 1-4-92 to 31-3-95.

Notes : 1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1224/F. No. DG/IT(F)/M-101/35(1)(ii)/90-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का. आ. 3374.—सर्वसाधारण को एनदब्ल्यू सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहिन प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-विभाग रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक वैश्विक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहराली रोड, नई दिल्ली-110016 को भेजेगा, और

औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहराली रोड, नई दिल्ली-110016 को भेजेगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-वैश्विक वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में वी गई रिसर्च कार्यों से सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

संगीत रिसर्च अकादमी,
4 एन.एस. रोड, टालीगंज,
कलकत्ता।

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1225/एफ.सं० डब्ल्यू बी-27 म.नि./

प्रा.क. (छूट)/90/35 (1) (ii)]

राजेन्द्र मिह, उप निदेशक

Calcutta, the 21st September, 1994

INCOME-TAX

S.O. 3374.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 under the category "Institution" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Sangeet Research Academy,
1, N. S. Road, Tollygunge
Calcutta..

This notification is effective for the period from 1-4-94 to 31-3-97.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1225/F. No. DG/IT(E)/WB-27/35(1)(ii)]/90]
R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का. आ. 3375:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के बिंदु (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित गतों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली 110016 को भेजेगा; और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छृट)

जिनके धोकाधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दो गई रिसर्च किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

स्वामी रामानन्द तीर्थ इंस्टिट्यूट आफ सोसियो इकोनोमिक रिसर्च एण्ड नेशनल इंटरेंगेशन हैदराबाद-500016
1-10-342, अद्यांगबाड़ी, बेगमपेट,
हैदराबाद-500016

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके धोकाधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1226 / एफ. सं. ए. पी. 21 म. नि. / आ. क. (छूट) / 89-35 (1) (iii)]

राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994
INCOME TAX

S.O. 3375.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-

tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Swami Ramanand Teerth Institute of Socio-Economic Research & National Integration, Hyderabad-500016, 1-10-342, Brahmanwadi, Begumpet, Hyderabad-500016.

This notification is effective for the period from 1-4-94 to 31-3-97.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Cuttack through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1226/F. No. DG/IT(E)/AP-21/35(1)(iii)/89-IT(E)]

R. SINGH, Dy. Director.

कलकत्ता, 21 सितम्बर, 1994

आयकर

का. आ. 3376 : सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर प्रधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संबंध के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक सनसंधान गंभीरों कार्यों का एक वैज्ञानिक निवारण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सवित्र, वैज्ञानिक व औद्योगिक अनुसंधान प्रबन्ध, 'प्रौद्योगिकी भवन' न्यू मेहरानगर, गोल, नई दिल्ली 110016 को भेजेगा; और
- (3) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर भवनान्देशन (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक

अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके द्वेष्टाधिकार में उपर्युक्त संगठन पड़ता है आयकर प्रधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया सम्बंधित छूट के बारे में लेखा-परीक्षित आय-व्यय फैसला को भी प्रस्तुत करेगा।

संगठन का नाम

के. जे. पी. रिसर्च फाउंडेशन,
लारन. 7/85, नेमाला, मेकानन्दपम,
नन्याकुमारी तमिलनाडु

यह अधिसूचना दिनांक 1-4-93 में 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त धारा (1) "संघ" जैसा संबंध के लिए लागू नहीं होगा।

2. संगठन को गुजारा दिया जाता है कि वे अनुमोदन को अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके द्वेष्टाधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतिशेषों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां संचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1227/एफ. सं. डि. एन. 52 म. नि./आ. क. क. (छूट) /91-35 (1) (ii)]

राजेन्द्र सिंह, उप निदेशक

Calcutta, the 21st September, 1994
INCOME TAX

S.O. 3376.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan' New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions),

having jurisdiction over the organisation, by the 31st October each year, a copy of its Audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

K.J.P. Research Foundation, Door No. 7/85, Chemala, Meckamandapam, Kanyakumari, Tamil Nadu.

This notification is effective for the period from 1-4-94 to 31-3-97.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions) Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1227/(E. No. DG(IT(E)/TN-52/35(1)(ii)/91-
IT(E))]

R. SINGH, Dy. Director.

कलकत्ता, 21 सितम्बर, 1994

आयकर

का आ 3377.—सर्वसाधारण को एतद्वारा मूल्यित किया जाता है कि निम्नलिखित संगठन को, "आयकर अधिनियम, 1961" की धारा 35 की उपधारा (1) के अंडे (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राप्तिकारी व्यापार निम्नलिखित बर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संवर्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन" न्यू मेहरौली गोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट) (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग)

आयकर आयकर/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उन संगठन पड़ता हैं और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आयकर हिसाब का भी प्रस्तुत करेगा।

संगठन का नाम

उणा माइट्रोफिल रिसर्च इंस्टिट्यूट, 14, प्रौद्योगिक स्ट्रीट कलकत्ता-72

वह अधिसूचना दिनांक 1-4-93 से 31-3-96 तक की अधिक के लिए प्रभावी है।

टिप्पणी :

1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तोन प्रतिवेदी में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1228 /एफ सं. बब्लू. नि.-10. नि. /आ. क. (छूट) 89/35(1)(ii)]

राजेन्द्र मिह, उप निदेशक

Calcutta, the 21st September, 1994

INCOME TAX

S.O. 3377.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities of the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan' New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Re-

search, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its Audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION :

Usha Scientific Research Institute, 14, Princep St., Cal-72.

This notification is effective for the period from 1-4-93 to 31-3-96.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions) Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1228[F. No. DG/IT(E)/WB-10]35(1)(ii)]
IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 21 सितम्बर, 1994

आयकर

का आ 3378.—मर्वसाधारण को एतद्वारा सूचित किया जाना है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा वहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू मेहराली रोड, नई दिल्ली-110016 को भेजेगा; और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षीत वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक

तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयकर/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भा प्रस्तुत करेगा।

संगठन का नाम

दि मदर्स मर्किस सोसाइटी, प्लॉट-4, बैन्कटा नगर, एक्टेन्शन, पान्चीचेरी-605011।

यह अधिसूचना दिनांक 1-4-93 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयकर/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए ग्रावेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1229/एफ सं प.न.-4 म.नि./आ.क. (छूट) 89/35(1)(iii)]

राजेन्द्र मिह, उप निदेशक

Calcutta, the 21st September, 1994

INCOME TAX

S.O. 3378.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category “Institution” subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of

नई दिल्ली, 16 नवम्बर, 1994

का.आ. 3381.—भारतीय औद्योगिक विकास बैंक अधिनियम 1964 (1964 का 18) की धारा 6 की उपधारा (2) के खंड (घ) के अनुमत्तण में, केन्द्रीय सरकार, एनदब्ल्यूआर श्री कुलवन्त राय, अध्यक्ष एमिरिट्स, उषा (इंडिया) लि., नई दिल्ली को 16 नवम्बर, 1994 से डॉ. एस. के. गुप्ता के स्थान पर तीन वर्षों की अवधि के लिए भारतीय औद्योगिक विकास बैंक के निदेशक के रूप में नामित करती है।

[सं. 7/4/93-बी.ओ. (1)]

के. के. मंगल, अवर सचिव

New Delhi, the 16th November, 1994

S.O. 3381.—In pursuance of clause (d) of sub-section (1) of Section 6 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby nominates Shri Kulwant Rai, Chairman Emeritus, Usha (India) Ltd., New Delhi as a director of the Industrial Development Bank of India for a period of three years from 16th November, 1994 vide Dr. S. K. Gupta.

[F. No. 7/4/93-BO. I(i)]

K. K. MANGAL, Under Secy

वाणिज्य मंत्रालय

विदेश व्यापार महानिदेशालय

नई दिल्ली, 16 नवम्बर, 1994

का.आ. 3382.—मैं मैक्सेल एक्सिम प्रा.लि., मद्रास को 12,00,00,000/- रुपये (40,59,400 अमरीकी डालर) के नियत आभार सहित 9,00,00,000/- रुपये (31,94,550 अमरीकी डालर) के लागत बीमा भाड़ा मूल्य के लिए एक मूल्य आधारित अग्रिम लाइसेंस सं. पी/एल/1525051, दिनांक 4-2-93 और डी.ई.ई. सी.बुक सं. 023131 (नियत और आयात) मंजूर किए गए थे, जिसकी वैधता अवधि जारी करने की तारीख से 12 महीने तक थी। फर्म ने अग्रिम लाइसेंस और डी.ई.ई. सी.बुक (बोनों भाग) की दृचरी प्रति इस आधार पर प्रदान करने के लिए आवेदन किया है कि अग्रिम लाइसेंस सं. पी/एल/1525051, दिनांक 4-2-93 और डी.ई.ई. सी.बुक सं. 023131 (नियत और आयात) खो गए हैं। फर्म ने आवश्यक हलफनामा प्रस्तुत किया है जिसके अनुसार पूर्वोक्त लाइसेंस को सीमांशक सदन, मद्रास से पंजीकृत कराया गया था और उसका अंशतः इसेमाल किया गया था। हलफनामे में इस आशय की एक घोषणा भी समाविष्ट की गई है कि उक्त लाइसेंस का बाद में पता चलने पर या उसके मिलने पर उसे निर्गम प्राधिकारी को लौटा दिया जाएगा।

2. इस बात पर संतुष्ट हो जाने पर कि मूल अग्रिम लाइसेंस सं. पी/एल/1525051 दिनांक 4-2-93 और डी.ई.ई. सी.बुक सं. 023131 (आई और ई) गुम हो गये हैं, विदेश व्यापार (विकास और विनियमन) अधिनियम, 1992 की धारा 9 की उपधारा (4) में प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी अग्रिम लाइसेंस सं. पी/एल/1525051 दिनांक 4-2-93 और डी.ई.ई. सी.बुक सं. 023131 दिनांक 4-2-93 (आई और ई) को रद्द करते हैं और आवेदक को अग्रिम लाइसेंस और डी.ई.ई. सी.बुक की अनुलिपि जारी करने का मार्केंग देते हैं।

[फा. सं. 1/82/40/1194/ए.एम. 93/डी.ई.ई.एस-6/2191]

श्रीमती शृंखा, उप महानिदेशक
क्रते महानिदेशक

MINISTRY OF COMMERCE

Office of the Director General of Foreign Trade

New Delhi, the 16th November, 1994

S.G. 3382.—M/s. Maxwell Exim P. Ltd. Madras were granted an value based Advance Licence No. P/L/1525051, dt. 4-2-1993 and DEEC Book No. 023131 (I & E) for a CIF value of Rs. 9,00,00,000 (US \$ 31,94,550) with an Export Obligation of Rs. 12,00,00,000 (US \$ 40,59,400) with a validity period of 12 Months from the date of issue of the licence. Now, the firm has applied for grant of duplicate Advance Licence and DEEC BOOK (Both parts) for import purpose on the ground that advance licence No. P/L/1525051, dt. 4-2-93 and DEEC BOOK No. 023131 (I & E) have been lost/misplaced. The firm have furnished necessary affidavit according to which the aforesaid licence was registered with Customs House, Madras and utilise partly. A declaration has also been incorporated in the affidavit to the effect that if the said licence is traced or found later on, it will be returned to the issuing authority.

2. On being satisfied that the Original Advance Licence No. P/L/1525051 dt. 4-2-93 and DEEC BOOK No. 023131 (I & E) have been lost, the undersigned in exercise of the powers conferred in sub-clause (4) of clause 9 of Foreign Trade (Development and Regulation) Act, 1992 hereby cancel the Advance Licence No. P/L/1525051 dt. 4-2-93 and DEEC BOOK No. 023131 dt. 4-2-93 (I & E) and direct that duplicate Advance Licence and DEEC BOOK should be issued to the applicant.

[F. No. 01/82/40/1194/AM93/DES-VI/2191]

MRS. SHUBHRA, Dy. Director General
For Director General

मानव संसाधन विकास मंत्रालय

(महिला एवं बाल विकास विभाग)

पूर्ति विन्याम अधिनियम, 1890 (1890 का 6) के मामले में राष्ट्रीय बाल कोष, नई दिल्ली के म.मले में

अधिसूचना

नई दिल्ली, 15 नवम्बर, 1994

का.आ. 3383.—पूर्ति विन्याम अधिनियम, 1890 (1890 का 6) की धारा 10 के अनुभरण में केन्द्रीय सरकार एनदब्ल्यूआर आदेश देती है कि भारत के लिए पूर्ति विन्यास के खांची भूतपूर्व वित्त मंत्रालय आधिकारी

विभाग, नार्थ ब्लाक-ए, नई दिल्ली में निहित सचिव खाचाची (राष्ट्रीय बाल कोष) के नामे जमा ₹. 18,00,000/- (अठारह लाख रुपये के बल मौत) के अकिल लिखित प्रतिभूतियों द्वारा प्रतिदान आय का सचिव खाचाची (राष्ट्रीय बाल कोष) के नाम अतिरिक्त कर दिया जाए। प्रतिभूतियों का अनुसरण अकिल लिखित प्रतिदान आय का सचिव खाचाची (राष्ट्रीय बाल कोष) के नाम अतिरिक्त कर दिया जाए। प्रतिभूतियों का अनुसरण अकिल लिखित प्रतिदान आय का सचिव खाचाची (राष्ट्रीय बाल कोष) के नाम अतिरिक्त कर दिया जाए। प्रतिभूतियों का अनुसरण अकिल लिखित प्रतिदान आय का सचिव खाचाची (राष्ट्रीय बाल कोष) के नाम अतिरिक्त कर दिया जाए। प्रतिभूतियों का अनुसरण अकिल लिखित प्रतिदान आय का सचिव खाचाची (राष्ट्रीय बाल कोष) के नाम अतिरिक्त कर दिया जाए।

— 13-6/94 द्वा श्री
रतन चन्द, सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Women & Child Development)

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890 (6 OF 1890)

IN THE MATTER OF THE NATIONAL CHILDREN'S FUND, NEW DELHI

NOTIFICATION

New Delhi, the 15th November, 1994

S.O. 3383.—In pursuance of Section 10 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the redemption proceeds in respect of the following securities of the face value of Rs. 18,00,000 (Rupees Eighteen lakh only) held in the name of Secretary—Treasurer (NCF) and vested in the Treasurer of Charitable Endowments for India erstwhile Ministry of Finance, Department of Economic Affairs, North Block, New Delhi be transferred to the Secretary—Treasurer (NCF).

Description of Securities Face Value Maturing on
Rs. 18,00,000

1. Five Years Post Office Time Deposit Scheme 29-10-1994

[F. No. 13-6/94-1 R]
RATTAN CHAND, Under Secy

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 15 नवम्बर, 1994

का ग्रा. 3384—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में स्वास्थ्य और परिवार कल्याण मंत्रालय के नियतणाधीन निम्नलिखित कार्यालय को, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।—

“अधिक भारतीय वाक श्रवण संस्थान, मानस गगोदी, मैसूर-570006”

[संख्या ई 11012/1/94-रा भा. कार्या]

शैलजा चंद्र, संयुक्त सचिव

MINISTRY OF HEALTH & FAMILY WELFARE

New Delhi, the 15th November, 1994

S.O. 3384.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rule, 1976, the Central Government hereby notifies the following office under the control of the Ministry of Health and Family Welfare, 80 per cent staff whereof have acquired working knowledge of Hindi :—

‘ALL INDIA INSTITUTE OF SPEECH AND HEARING MANASA GANGOTRI, MYSORE-570006.’

[No. E. 11012/1/94-O.L.]

SHAILAJA CHANDRA, Lt. Secy.

नागर विमानन और पर्यटन मंत्रालय

(नागर विमानन विभाग)

नई दिल्ली, 9 नवम्बर, 1994

का ग्रा. 3385.—केन्द्रीय सरकार, राजभाषा, (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, नागर विमानन तथा पर्यटन मंत्रालय (नागर विमानन विभाग) के प्रशासनिक नियतणाधीन इंडियन एयरलाइंस के पश्चिमी क्षेत्र के अहमदाबाद गोवा तथा पुणे स्टेशनों को, जिसके कर्मचारी बृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या ई-11011/6/88/हिंदी]

रघुनाथ सहाय, निदेशक (राजभाषा)

MINISTRY OF CIVIL AVIATION & TOURISM

(Department of Civil Aviation)

New Delhi, the 9th November, 1994

S.O. 3385.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for the Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the offices of Ahmedabad, Goa and Pune Stations of Indian Airlines, Western Region, under the administrative control of Ministry of Civil Aviation and Tourism (Department of Civil Aviation) the staff of which have acquired the working knowledge of Hindi.

[No. E-11011/6/88-Hindi]

RAGHUNATH SAHAI, Director (O.L.)

जल-भूतल परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 17 नवम्बर, 1994

का.आ. 3386.—गोदी कामगार (रोजगार का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एन जी मोडक के स्थान पर श्री डी के गोरसिया को उक्त अधिनियम की उपधारा (1) के तहत गठित कलकत्ता गोदी श्रमिक बोर्ड का सदस्य नियुक्त करती है और इस मंत्रालय की अधिसूचना सं. का आ 924 (अ.) दिनांक 23 दिसंबर, 1992 में निम्नलिखित संशोधन करती है:—

उक्त अधिसूचना में “गोदी कामगारों के नियोक्ताओं और नौवहन कर्मचारियों का प्रतिनिधित्व करने वाले सदस्य”, शीर्ष के अंतर्गत क्रम सं. 3 में दो गई प्रविष्टि “श्री एन जी मोडक”, के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

“श्री डी के गोरसिया”

[सं. एन बी-13014/3/94-यू.एस. (एल)]

एस. के. दरगान, अवर सचिव

MINISTRY OF SURFACE TRANSPORT

(Transport Wing)

New Delhi, the 17th November, 1994

S.O. 3386.—In exercise of the powers conferred by sub-section (3) of Section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri D. K. Gorsia in place of Shri N. G. Modak as a Member of the Calcutta Dock Labour Board established under sub-section (1) of the said Act and makes the following amendment in this Ministry's Notification No. S.O. 924(E) dated 23rd December, 1992:—

In the said notification, under the heading “Members representing the employers of Dock Workers and Shipping Companies” against serial number 3 for the entry “Shri N. G. Modak” the following shall be substituted, namely:—

“Shri D. K. Gorsia”.

[No. LB-13014/3/94-US (L)]

S. K. DARGAN, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 7 नवम्बर, 1994

का.आ. 3387.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचणा में, केन्द्रीय सरकार बॉम्बे पोर्ट ट्रस्ट-बॉम्बे के प्रबन्धतात के संबंध नियोजकों और उनके कर्मकारी के बीच, अनबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, नं 1 बॉम्बे, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-11-94 को प्राप्त हुआ था।

[संख्या एल-31012/31/90-आई आर (विसलेनियस)]

बी. एम डेविड, डैस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 7th November, 1994

S.O. 3387.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, No. 1, Bombay. As shown in the Annexure in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on 7-11-94.

[No. L-31012/31/90-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I AT BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-29 of 1991

PARTIES :

Employers in relation to the management of Bombay Port Trust, Bombay.

AND

Their Workmen

APPEARANCES :

For the Management.—Shri M. B. Anchan, Advocate.
For the Workmen.—Shri Jayaprakash Sawant.

INDUSTRY

—Ports and Docks

STATE :

Maharashtra

Bombay, dated the 7th day of October, 1994

AWARD

Government of India, Ministry of Labour New Delhi has made following reference to this Tribunal under Section 10(1) (d) of the Industrial Disputes Act, 1947 for adjudication.

SCHEDULE

“Whether the management of Bombay Port Trust, Bombay, are justified in giving promotion to Shri Frank Xavier D'sa Instrument Fitter—Telephone Section, BEND from one segment to another w.e.f. September 1985 instead from 1-3-1983 when he was actually due? If not, to what relief is the workman entitled to?”

2. The union known as Bombay Port Trust Employees union has filed statement of claim and the management has filed written statement thereto.

3. The admitted or undisputed position is that the workman Shri D'sa was promoted from segment I to segment II w.e.f. August 1985. His grievance is that he should have been promoted w.e.f. 1-3-1983.

4. He was appointed as Asstt. Instrument Fitter w.e.f. 1-9-1970 and was promoted to the post of Instrument Fitter w.e.f. March 1975. He completed 8 years service in that scale on 1-3-1983. He therefore contends that he should have been given benefit of that scale w.e.f. that date as per the scheme operating.

5. Management contends in reply that he ought to have passed the trade test before he can claim that scale and since he did not appear for practical test held in 1983 he was not then promoted but promoted only after he passed that test in 1985.

6. Union contends in the first instance that no test was held in 1981, 1982, 1983 and he cannot be denied promotion if he did not qualify himself for that test.

7. Management denies this allegation and states that it was conducted in 1983 and the workman did not appear for the same which fact the workman seriously disputes saying that he was not given any intimation about the test. Thus he does not dispute that it is necessary to pass the test before one would ask for higher scale. This position also appears to be clear from the reading of Exh 'A' settlement recorded in the meeting of the Trustees of the Port of Bombay held on 26th July, 1977.

8. The point therefore is whether the applicant was not given an opportunity by the management to appear for trade test before he completed eight years and if so what is the effect of that.

9. The workman has filed an affidavit on 8-6-1994. Therein he states that trade test was held in 1981, 1982 or 1983. It was held in his case only in 1985 September. He further stated that it was not held in 1984 also. He in the course of cross examination admitted that when trade test was held in 1983 he was on leave. Therefore he has given up his earlier case that it was not held in 1983. He denied the suggestion that he attended on 7-10-1983 but did not attend the test. He further admitted that other persons were promoted in 1983. He did not make any grievance till 1985 for not having been given promotion or increment.

10. Union has produced correspondence in his behalf but management has also produced documents in support of their contention that the workman did not appear for the test. Endorsement made is "absent" for practical. Refused to appear for practical. It mentions that he "passed oral". If he has appeared and passed oral then it is difficult to believe him when he says that he was not aware of the date of test particularly when he denied the holding of the examination in 1983.

11. The next document is letter dated 7-10-1983 by the Superintendent Electrical to the Sr. Ex. Engineer (Mech.). It clearly mentions that workman could not be trade tested on 14-9-1983 along with others as he was on leave. He was called in the morning and told to appear for practical test in the afternoon at 3.30 p.m. of 7-10-1983 which he agreed. It further states that he presented himself but refused to give practical test. He also declined to give in writing to that effect. Thus a contemporaneous record clearly supports management's contention and satisfies the version of the workman.

12. When union made grievance by letter dated 6-11-1985 the management replied to it by letter dated 23-12-1985. The facts are stated therein. The silence from 1983 to 1985 is also in my opinion eloquent particularly when he saw that persons were promoted after 1983.

13. Thus it is in my opinion clear that he did not pass the trade test when he was due for getting the higher scale.

14. The proceedings of the meeting dated 26th July 1977 are clear on the point. If the workman's statement that it was not held in 1981, 1982 is accepted and there is no reason why it should not be accepted then it could be said that it was not held two to three years before a workman reaches the maximum of the scale. But this is the position as it obtained when the old scales were operative and automatic promotion was provided when one reached the maximum of the scale. The new pattern provided test are to be provided at intermediate stages, those who do not pass can reach the maximum of their own scale and those who do so can reach the maximum of the third scale earlier than those who pass later.

15. It is submitted that persons who passed in 1985 are given retrospective effect. However I do not find any material support of the same.

16. A decision of the Supreme Court in the case state of Maharashtra Appellant Vs. Jagannath Achyut Karandikar reported in 1989 L.I.C. 1237 is referred to and relied upon. With respect the same has no bearing on the present case. There the person was expected to pass examination within 9 years from the date of entry. The Government was under an obligation to hold every year examination. The concerned Government did not hold examinations as contemplated. Here I have pointed out above that formerly the obligation was to hold the trade test 2-3 years before one reached the maximum of the scale and which has undergone change. I have pointed out that above and do not find it necessary to repeat the discussion.

17. The workman has retired in 1990 October. By letter dated September 1990 it is pointed out there as a result there has been no difference in the fixation of his pay since that date except that the date of his increment is now falling due in August while it would have been in March if he was to pass test at appropriate time. That will have no effect or gratuity and the amount of pension may perhaps be affected slightly and the difference would be negligible and therefore deviation from the rules was not called for. So far as justification for not deviating from rules is concerned one can understand this type of reasoning. But otherwise if the rules enabled the workman to get the relief asked for, I would surely have not rejected it on the ground that it will be only marginal. To an employee of the type of Shri D'sa even this marginal difference in pension makes all the difference.

18. However I am of the view that he is not entitled to the benefit of higher scale with effect from 1-3-1983 and make award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 7 नवम्बर, 1994

का.प्रा. 3388.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार केनग बैंक के प्रबन्धनात्मक संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण में 1, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-94 को प्राप्त हुआ था।

[संख्या एल-12011/44/83-डी 2(ए)/आई आर (बी 2)]

बी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 7th November, 1994

S.O. 3388.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 7-11-94.

[No. L-12011/44/83-DII(A)/IR(B.II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, BOMBAY

PRESENT :—

Shri Justice R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-53 of 1989

PARTIES :

Employers in relation to the management of Canara Bank.

AND

Their Workmen

APPARANCES :

For the Management—Shri R. S. Pai, Advocate.

For the Workmen—Shri Phadnis, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, dated the 11th day of October, 1994

AWARD

Government of India, Ministry of Labour, New Delhi has made following reference for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947.

“Whether the action of the management of Canara Bank in imposing the duties of Watchmen on the Peons in Vostro Section of International Division, Bombay, is justified? If not, to what relief are the concerned workmen entitled?”

2. Statement of claim has been filed by the union. The grievance is that the employer Bank called upon Peons attached to the Vostro Section of the International Division of the employer Bank at Bombay to perform certain duties which have been regularly and normally performed by the Watchmen and not being part of the duties of the Peons. Peons expressed their inability to do that because of that a disputed question arose as whether the Peons are liable to perform those duties. Industrial dispute is raised and referred for adjudication as there was no settlement at the conciliation stage.

3. The union states that there are two categories of workmen, (1) Clerical staff and (2) the Subordinate Staff on the Establishment of the Bank. The Subordinate Staff consisted of (1) Sweeper, (2) Peons, (3) Cash Peons, (4) Cyclostyle Machine Operator, (5) Liftman, (6) Relieving Liftman, (7) Watchman/Watchman-cum-Peon, (8) Armed Guard, (9) Bill Collector, (10) Daftari, (11) Head Peon, (12) Air Conditioning Plant Helper, (13) Electrician, (14) Driver. It is stated that the dispute is that the Peons were called upon to perform duties of Watchman. Sastry Award and later Desai Award dealt with the question of payment of special allowance by way of compensation to the employees of the Bank. Clause 5.222 of Desai Award provides for special allowance to the following categories of the workmen employed in various classes of Banks and those categories are :

Head Cash Mazdoor (Coolies)

Watchmen, Chowkidars or Cash Durwans.

Armed Guards

Daftaries

Havaldaars, Jamadars, Dafqadars, Naiks and Head Peons

Drivers and Head Messengers.

It is stated that the service conditions are revised by Bipartite Settlements reached thereafter.

4. The categories of Peon does not get any special allowance unlike a Watchman who gets special allowance shown in Annexure 'A'. There the duties are not the same and one cannot be asked to perform duties of others.

5. The incident which led to the dispute took place on 6th January 1989. It appears that on that day the Peons were asked to lift the shutters of the Main Door and Peons declined to do it on the ground that they were not part of their duties, and those were the duties of Watchmen. Chargesheet was served on them. The employees were given written orders to perform the duties of opening and closing of shutters, they disobeyed the orders and declined to perform their duties. I am informed however, that since this dispute is referred for adjudication no further proceedings were held.

6. It is contended by the union that the duties of opening of Bank and the closing of the Bank is performed by the Watchmen and this is the practice prevailing in the other Banks also. The International Division of Canara Bank cannot be an exception and the Officers of that Bank tried to impose these duties on the Peon. It is also contended that since they were not employed as Watchmen-cum-Peon and not paid wages of Watchmen-cum-Peon, they could not have been asked to perform those duties and the Bank Officers were not justified in calling upon them to do so. It also amounted to change in the service conditions.

7. The management has filed written statements. In the first instance, it is contended that it is not an industrial dispute within the meaning of section 2(k) of the Industrial Disputes Act. It is further contended that the service conditions are settled by the Bipartite Settlement entered into between the Bank and the respective unions and the provisions of Canara Bank Service Code. It is denied that the duties asked to be performed were the duties of the Watchmen. It is admitted that on or about 6th January 1989 the Manager of the Vostro Section of the Bank directed four Peons to perform the duties of opening and closing of office shutters and Peons refused to do that on the ground that they were not part of their duties. Therefore, they were chargesheeted and as Counter-blast they raised this dispute.

8. It is then contended that the present union cannot espouse the cause because it is a minority union.

9. It is denied that these duties are not normally performed by the Peons but performed by Watchmen. It is also denied that there is any change in the service conditions. The special allowance prescribed under the Settlement is payable if duties specified in the Bipartite Settlement are performed.

10. Rejoinder has been filed to this written statement and emphasis is laid on the safety aspect.

11. The parties have been heard.

12. The schedule mentions the dispute for adjudication and on reading the same I find that the Bank is not justified in imposing of the duties of Watchmen on the Peons. However, the real dispute appeared to be as to whether the management was justified in asking the Peons to open and close the shutters and the Peons were justified in refusing to do that on the ground that those were duties of the Watchmen. Reading of the statement of claim filed on behalf of the union and the written statement filed on behalf of the management makes this abundantly clear.

13. It cannot be that Peons do not get any special allowance while Watchmen and Watchmen-cum-Peons get special allowance. The Peons are not declining to perform those duties but they are contending that they should have been paid special allowance which the Watchmen or Watchmen-cum-Peons are being paid. It is to be found in the Sastry Award, Chapter VII, that demand of pay scale of subordinate staffs have been dealt with. The demand for special allowance in respect of certain appointment was also made and considered. However, the duties that are expected to be performed are not mentioned therein. The First Bipartite Settlement dated, 19-10-1966 superseded Para 5.326 of the Desai Award and provided that the special allowance is payable to the members of subordinate staff for duties/responsibilities as listed in

part-II of Appendix 'B'. There Watchmen/Watchmen-cum-Peon are mentioned as categories of workmen entitled to special allowance. The Peons are not mentioned there, though Head Peons and Watchmen-cum-Peons and Cash Peons are mentioned. Appendix 'B' Part-II deals with the case of subordinate staff and mentioned the duties of that category of employees which are entitled to special allowance. Watchmen's duties are mentioned. Persons other than armed guards who are required to perform the watch and ward duties, that is to watch and look after the premises or a department for the purpose of its safety, security and guards against infiltration and against removal of bank's property by any unauthorised person and/or to watch and guard as above the movements of cash from one place to another inside the bank premises or outside where an armed guard is not employed in a branch/office are entitled to special allowance therewith. Therefore, opening and closing of shutters is not mentioned as part of the duties of Watchmen. In the circumstances, the contention of the union that the duties of Watchmen were being asked to be performed by Peons does not appear to be sound. In this Bipartite Settlement itself on the mention in para 5.6, special allowances are not intended to be paid for casual or occasional performance or discharge of duties/functions. It also mentions no doubt that it would, however, not be necessary that a workman should continue to perform such duties or discharge such functions, whole time, in order to be entitled to such allowance. It has been mentioned in para 5.7 that the additional duties and functions involving greater skill or responsibility, which would entitle one to special allowance, are more particularly enumerated, for each category of workmen, in Appendix 'B'. It further mentions the special allowance will be payable for all or any of the duties listed in Appendix 'B' except where it is specifically provided therein that for a particular category the additional duties entitling him to a special allowance, include or involve all the duties listed under that category. I therefore, find that opening and closing of shutter is not a duty which is required to be performed only by Watchmen. The duties of Watchmen as stated earlier are mentioned in Appendix 'B' and they did not mention these particular duties. It could not be contended as has been contended on specious plea that it involved safety of the Bank and therefore, a duty of the Watchmen.

14. It is urged on behalf of the Bank by the learned counsel that it is one thing to say that they are entitled to special allowance and another to decline to carry out the work assigned to them. The counsel submits that if they had performed the duties and then claimed special allowance matter could have been viewed differently if they had justified their claim for special allowance. However, refusal to do that duty when called upon to do so is not at all justified and he further submitted that it should not be tolerated. I do not think I should deal with this submission because as stated earlier the Bank has already served chargesheet and the further enquiry has not commenced because of the pendency of this reference. I shall presently deal with the dispute referred for adjudication and since I find that it has been shown that opening and closing of shutters was a duty to be performed by a Watchman, the action of the Bank in asking the peon to do that work is not unjustified. The relief that has been claimed is that I should hold that the action of the Bank was unjustified and further that it were liable to pay by way of relief to the workmen concerned special allowance as applicable to the category of the Watchmen. In the circumstances, no relief could be given to the workmen as claimed.

Award accordingly.

'R. G. SINDHAKAR. Presiding Officer

नई दिल्ली, 7 नवम्बर, 1994

का.प्रा. 3389.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार वैक औक इंडिया के प्रबन्धतंत्र के विवर उक्त अधिनियम की धारा 33-क के अन्तर्गत दायर शिकायतों

में, अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण, सं 2, बम्बई के पंचपट को प्रकाशित करते हैं, जो केन्द्रीय सरकार को 7-11-94 को प्राप्त हुआ था।

[संख्या डा. 1302/94-आई.आर.वी.-2]

श्री.के. शर्मा, डैर्क अधिकारी

New Delhi, the 7th November, 1994

S.O. 3389.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure in the complaints filed against the management of Bank of India under Section 33-A of the said Act which was received by the Central Government on 7-11-94.

[No. Dy. 1302/94-IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESIDENT :

Shri S. B. Patnaik, Presiding Officer.

PARTIES :

Complaint No. CGIT-2/1 of 1988

Shri Shamiao S. Mahajan : Complainant

Complaint No. CGIT-2/2 of 1988

Shri Dadarao P. Mulwande : Complainant

Complaint No. CGIT-2/3 of 1988

Shri Vinayak R. Kapse : Complainant

Complaint No. CGIT-2/4 of 1988

Shri Pradeep B. Pawankar : Complainant

Complaint No. CGIT-2/6 of 1988

Shri Satyawan R. Atkar : Complainant

V/S

The Zonal Manager,

Bank of India, Nagpur. : Opposite Party

APPEARANCES :

For the Complainant : Shri V. U. Joshi, Representative

For the Opposite Party : Shri A. B. Oka, Advocate.

Bombay, dated 6th October, 1994

AWARD

These are the applications under section 33A of the Industrial Disputes Act 1947. They relate to the common set of facts and the question of law. It is therefore disposed of by a common judgement.

2. These Complainants are the parties among the 15 workers whose dispute for regularisation has been referred by the Union Government to this Tribunal for adjudication. These complainants are claiming for regularisation as a sub-staff employee in the employment of the Bank of India, from 11-10-1985, when the dispute was pending. The management chose not to give any employment to these complainants. The management has been changing the service conditions of the employees concerned. These Complainants, by virtue of them being on the panel of Badli employees, Bank of India are under a bounden duty to provide them with work, when the same is available on the basis of seniority.

3. The Bank of India, has after reference of the instant dispute gradually stopped providing work to the workers. They are not provided with the work for a single day. This action of the management, is arbitrary to the provisions of section 33 of the Industrial Disputes Act. Hence the complaint, for taking suitable action against the management.

4. The management, by its written statement denied all the contentions taken by the Complainants. It is affirmed that the Badli Kamgar are not on the services of the Bank, as per the Bipartite settlement. It is submitted that when a permanent sepoy who is working as a part time sepoy on 1/2 the scale wages is absent then the Badli sepoy who is engaged against the leave vacancy would be working as the part time representative.

5. It is averred that after raising the dispute, some of the Badli sepoys insisted that they should be given full time jobs. It is not always possible to give full time work. When there is a refusal of the part-time sepoys to accept the job, then the management is left with no other alternative, but to request them again. But it appears that the request was not accepted by these Badli sepoys.

6. The management asserted that these Badli sepoys continued to be on their panel and the management undertakes to accept them as the part time workers with part time jobs whenever available. It is also submitted that they would be considered for the absorption in the permanent vacancies as per the seniority and as and when the future vacancies arise. They contended that refusal by the worker to accept part time jobs, by no stretch of imagination can be turned as a breach to the management, under section 33 of the Industrial Disputes Act of 1947, regarding the change of service conditions during the tenancy of industrial dispute, since the non-applicant Bank has never refused jobs. It is these disputed Badli sepoys who had denied the jobs available to them against the part time vacancies. It is also submitted that the Badli sepoys get work only in the absence of the regular employee or the temporary employees and there is no guarantee of the employment.

7. It is averred that as such, the complaints which are made by these Complainants are without any merit. It is not tenable under section 33A of the Industrial Disputes Act.

8. So far as the Complaint No. CGIT-2/6 of 1988 is concerned, it is contended that the complainants name was terminated from the panel of Badli Sepoys by giving application to the Tribunal, as he was not interested in the permanent job of the Bank. Such an application was made on 15-11-1988. It is therefore contended that, there is no substance in the claim of the Complainant Shri Atkar.

9. My Learned Predecessor framed issues for determination in all these proceedings. They are all the similar type of issues and the findings there are as under :

ISSUES IN ALL THE COMPLAINTS

1. Whether the Complainant proves that the management of the Bank of India, Nagpur, during the pendency of the reference before this Tribunal, changed his service conditions to his prejudice by stopping to provide the work to him, and thereby committed a breach of the provisions contained in sec. 33A of the Industrial Disputes Act ?
2. Whether the non-applicant Bank management proves that the Complainant's complaint of the present nature is not tenable under sec. 33A of the said Act ?
3. Whether the non-applicant proves that in fact the complainant has denied the job offered to him against a part-time vacancy ?
4. What order ?

FINDINGS

<p>In the negative</p> <p>Not Tenable</p> <p>In the affirmative</p> <p>As per order below.</p>
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REASONS

10. The conditions of the service applicable to the Badli sepoys are nowhere enumerated. It is the contention of the Complainants that they should be given work every day, that is not the concept of the Badli employees, nor any such term is said to be anywhere. It is not in dispute that there was no agreement between the Bank and the Badli sepoys to provide work every day. It is not in dispute that these Badli workers were given work whenever the work was available but not continuously. It means that they were not getting the work as of a right but it was depending upon the work available. As this is so, it cannot be said that there is no service condition, so far as the Badli workers are concerned. As such in the absence of such a condition of service it can be said that the Complainants were not the employee for some time due to the non-availability of work at the Branch at which they were deputed. As in another manner, the change in their then extending conditions of service and as such the complaint under section 33A as followed is not maintainable. Shri Ashok Diwan Meshram (Exh. 16) affirms that he received information from the different branches that the Badli Sepoys in question, when offered the part time Badli work refused to accept them. He had further affirmed that the Bank never refused to give the available work to the Badli sepoys in question. In his cross-examination, nothing is brought on the record for coming to the conclusion that the management refused to give employment to these Badli sepoys as and when the work was available.

11. When any action has to be taken, under section 33A of the Industrial Disputes Act, it has to be established that the employer contravenes the provisions of the section 33 during the pendency of the industrial dispute. The industrial dispute which was pending in the following terms :

"Whether the action of the Bank of India, Nagpur is lawful and just in not regularising the services of 15 workmen mentioned in the Annexure hitherto as Sub-staff in their employment from 11-10-85 the date this industrial dispute was raised ? If not, to what relief are the workmen entitled and from which date ?

It is not in dispute that these Complainants are the workers mentioned in that Annexure. But what is to be seen is that the conditions of services are to be framed during the change in the circumstance at the time of the pendency. It pre-supposes that there are conditions of service. Here in this case, as I have already observed above, there are no terms of conditions. To make the employment available, the Bank in its goodness prepared panels of Badli employees who were allowed to work, when the regular or the part time employee was or used to remain absent, for one reason or the other. In that case the employment was given. It means that there was no specific terms of service conditions between the management and these Badli employees. It is therefore rightly argued on behalf of the management that the Complaint is not tenable. For all these reasons, I record my findings on the points accordingly and pass the following order :

ORDER

1. The Complaints are dismissed.
2. No order as to costs.
3. Copy of this order be kept in the other applications.

Dated : 6-10-1994.

S. B. PANSE, Presiding Officer

नई विल्सी, 8 नवम्बर, 1994

का. ग्रा. 3390.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैं भारत कोकिंग कोल लिमिटेड का मुनीडीह खेत्र के प्रबन्धतात्व के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-94 को प्राप्त हुआ था।

[संख्या एन-20012/81/93-प्राई आर (कोल-1)]
ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 8th November, 1994

S.O. 3390.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Moonidih Area of M/s. BCCL and their workmen, which was received by the Central Government on the 7-11-1994.

[No. L-20012/81/93-IR (Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I. DHANBAD

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947

Reference No. 41 of 1994.

PARTIES :

Employers in relation to the management of Moonidih Area of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha, Presiding Officer

APPEARANCES :

For the Employers.—Shri R. C. Srivastava, Personnel Manager, Moonidih Area of M/s. BCCL.

For the Workmen.—Sri Rajendra Ram, Area President, KIMP.

STATE : Bihar.

INDUSTRY : Coal

Dated, the 28th October, 1994

AWARD

By Order No. L-20012/81/93-I.R. (Coal-I), dated 4-3-1994, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Moonidih Area of M/s. B.C.C.L., P.O. Moonidih, Distt. Dhanbad in stopping Shri Hafizuddin Ansari w.e.f. 27-6-1992 from the duties of the Company is justified ? If not, to what relief the workman is entitled ?”

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. 2643 GI/94-4.

I have gone through the terms of settlement and I find those to be fair and reasonable. I allow the prayer to pass an award accordingly. Let an award be rendered in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947

P. K. SINHA, Presiding Officer.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL NO. 1,
DHANBAD

Reference No. 41/1994.

Employers in relation to the management of Moonidih Project of M/s. Bharat Coking Coal Ltd.

AND

Their Workmen.

PETITION OF COMPROMISE

The humble petition on behalf of the parties to the above reference most respectfully sheweth.

1. That the Central Government by Notification No. L-20012/81/93-I.R (Coal-I), dated 4-3-1994 was pleased to refer the present case to the Hon'ble Tribunal for adjudication on the issue contained in the Schedule of reference which is reproduced below :—

SCHEDULE

“Whether the action of the management of Moonidih Area of M/s. BCCL, Post Office Moonidih District Dhanbad in stopping Shri Hafizuddin Ansari with effect from 27-5-1992 from the duties of the company is justified ? If not, to what relief the workman is entitled ?”

2. That the above dispute has been amicably settled between the parties on the following terms.

Terms of Settlement

(a) That the concerned workman, Shri Hafizuddin Ansari will be given fresh offer of employment on the time-rated job of General Mazdoor in Category-I within a period of one month from the date of settlement.

(b) That neither the concerned workman nor any Union on his behalf will claim any back wages or other benefits for the period of his idleness from the date of his stoppage till the date of his resumption of duties, as his earlier employment was provisional in nature and was liable to be terminated without any notice and without any reason.

3. That in view of the aforesaid settlement there remains nothing to be adjudicated in the above dispute.

Under the facts and circumstances stated above, the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

For the Workmen

1. (Sd.) RAJENDRA RAM, Area President KIMP (MA).

2. (Sd.) HEFIZUDDIN ANSARI TN 7613.
For the Employers.

1. (Sd.) V. K. SINGH, General Manager : MA.

2. (Sd.) SJHA, Personnel Manager : M.A.

WITNESSES

1. (Sd.) RAJESHWAR PRASAD SINGH, Area Secy. (KIMP)

2. (Sd.) NARANDER KUMAR PRASAD, President (KIMP).

Part of the Award

Sd/-
Presiding Officer

मई दिल्ली, 8 नवम्बर, 1994

का. शा. 3391.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार युनाइटेड बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में ओद्योगिक अधिकरण भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 8-11-94 को प्राप्त हुआ था।

[संख्या एल-12012/317/90-धारा. वी. -2]

बी. के. शर्मा, डेस्क प्रधिकारी

New Delhi, the 8th November, 1994

S.O. 3391.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of United Bank of India and their workmen, which was received by the Central Government on 8th November, 1994.

[No. L-12012/317/90-IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT:

Sri P. K. Tripathy, M.A., LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No. 2 of 1991 (Central)

Dated, Bhubaneswar, the 30th September, 1994

BETWEEN

The management of United Bank of India, 13, Forest Park, Bhubaneswar.

...First party—management.

AND

Their workman Sri Kalakar Bhoi represented through the United Bank of India Shramik Karamchari Samiti, Orissa, Regional Committee, United Bank of India, Heads of Dept. Building, Government of Orissa, Bhubaneswar

...Second party—workman

APPEARANCES:

Sri D. P. Mishra, Chief Officer—For the first party—management.

Sri G. C. Das, Representative of the workman—For the second party—workman.

AWARD

The following reference has been forwarded by the Government of India through the Ministry of Labour in exercise of the powers u/s 10(1)(d) read with Section 10(2-A) of the Industrial Disputes Act, 1947 (for short the 'Act') for adjudication by this Tribunal:—

"Whether the action of the management of United Bank of India, Zonal Office, Bhubaneswar in not relieving Sri Kalakar Bhoi, General Clerk in time and in not allowing him to get teller special allowance at Bargarh branch is justified. If not, to what relief the workman is entitled?"

2. The above described (in the cause title) first party is the management and the second party is the workman. The dispute is relating to not giving officiating opportunity as the Teller to the second party. In that connection, both the parties have advanced their rival contention in support of their stands.

3. In his claim statement the second party—workman has stated that he became a permanent General Clerk since 4th June, 1984 and Sri Baisakhee Meher joined the Bank services as Clerk on 4th September, 1984. According to the second party Sri Meher is junior to him in the service and inter-se-seniority.

4. The second party has further pleaded that the Zonal Office of the Bank at Bhubaneswar deals with the personnel administration relating to issuance of orders of transfers/postings, selection and posting against the special allowance carrying jobs and release of special allowance to the Award staff. Both the Zonal offices at Bhubaneswar and Sambalpur implement the orders and directions of the Regional Office in making co-ordination.

5. The second party while being posted at Sambalpur and Sri P. K. Parida while being posted at Bargarh, made their representations for their transfer respectively to Sambalpur and Bhubaneswar. The above option was favourably considered by the management and vide the orders Nos. 10/88 and 5/88 dated 27th June, 1988 relating to Sri Bhoi and Sri Parida, they were allowed to be transferred to their respective places of choice. Accordingly though Sri Parida without a reliever was transferred from Bargarh Branch on 26th August, 1988, yet Sri Bhoi was not relieved until 31st December, 1988 on the ground of non-availability of reliever. But the fact remains that after the transfer of Sri Parida, another cash-cum-General Clerk from Sambalpur unit Baikuntha Dharua was temporarily deputed to Bargarh and thereafter the process of officiating as Teller was finalised and thereafter Sri Dharua was re-deputed to Sambalpur so as to relieve Sri Bhoi on 31st December, 1988. The second party has said that he joined at Bargarh on 2nd January, 1989 but was deprived to officiate as Teller.

6. The second party has further pleaded that according to the Bi-partite settlement and Head Office circular No. PD/OM/Teller/30/80 dated 1st November, 1980, the senior most Clerk is entitled to officiate and get the Teller allowance where Teller is created. Thus, according to the second party, the alleged action of the management in not relieving him till 31st December, 1988 and in the meantime vide order dated 12th October, 1988 allowing Sri Baisakhee Meher, to officiate as Teller and to get the Teller allowance, is an intentionally done illegal act to victimise the workman and to deprive him of the financial benefit to which he is legally entitled. He has further stated that, after his joining he made representation to rectify the injustice done to him but it was not favourably considered and the management in their letter dated 20th May, 1989 reaffirmed the order relating to Teller. Hence, the dispute was raised. According to the second party—workman, Sri Parida was officiating as Teller when he was relieved from Bargarh branch. Had Sri Bhoi been relieved similarly like Sri Parida then Sri Bhoi on joining at Bargarh would have been the senior Clerk to get the Teller allowance. He has thus prayed to pass an Award accordingly to make him entitled for the Teller allowance with effect from 27th August, 1988.

7. In its written statement, the management, inter alia has pleaded that the post of Teller belongs to the clerical cadre. The senior most Clerk of the concerned branch of the Bank is given such assignment and such officiating is accompanied with special allowance. The representation of Sri P. K. Parida for transfer from Bargarh to Bhubaneswar was on compassionate ground for medical treatment of his ailing mother. By that time he was officiating as Teller and he was relieved on 26th August, 1988 because of urgent personal reason i.e., treatment of his ailing mother. At or about the same time the option transfer of the workman and of three other Clerical staff from Sambalpur was considered and allowed. Amongst them the workman was the junior most. His option for transfer was not compassionate ground and there was

no urgency to relieve him. Apart from that two Senior Clerks were relieved and the workman and another P. S. Behera, Clerk could not be relieved soon after the transfer order as no reliever was provided by the Regional Office. However, to cope with the work at Bargarh after transfer of Sri Parida, Sri Baikuntha Dharua, a relieving COG who was then on deputation from the Regional Office to Sambalpur branch, was temporarily deputed to Bargarh branch and it was only a stop-gap arrangement made. The management has further pleaded that several factors relating to administrative convenience and interest of the branch are taken into consideration while implementing a transfer order i.e., while relieving a staff. It has further pleaded that as per the bipartite settlement and circulars of the Bank, the claim of the workman is legally not sustainable and there was no ill-motive behind the delayed relieving of the workman. It has further pleaded that after the transfer of P. K. Parida, the post of Teller could not have been kept vacant till joining of the workman as transfer of Sri Bhoi was on option and at that time he was neither working in any special allowance carrying post nor under the existing system the post was kept vacant till the date of his joining. It has further pleaded that according to the Rules and procedures, when the post of Teller fell vacant on transfer of Sri Parida, Sri Baisakhee Meher, Seniormost Clerk in the branch was allowed to officiate for which approval was received from the Regional Office in October, 1988. The management has stated that the imputation of bias against the workman or his victimisation or illegality in the action taken are all non-sustainable accusations. The management has thus prayed to pass the Award approving the action of the management.

8. Keeping in view the dispute under reference and the pleadings of the parties, the following issues have been framed :—

ISSUES

(1) Whether the action of the management of United Bank of India, Zonal Office, Bhubaneswar in not relieving Shri Kalakar Bhoi, General Clerk in time and not allowing him to get Teller Special allowance at Bargarh Branch is justified ?

(2) If not, to what relief the workman is entitled ?

9. To substantiate its case, the workman has examined himself as workman's witness No. 1 (for short W.W. No. 1). He has also tendered in evidence documents which have been marked Exts. 1 to 5. Out of the same, Ext. 1 is his promotion-cum-posting order as a General Clerk. Ext. 2 is the order in allowing his option for transfer from Sambalpur to Bargarh. Ext. 3 is the letter containing the guideline for officiating in the post of Teller. Ext. 4 is the representation made by the workman and Ext. 5 is the reply of the Zonal Office. The management has not tendered any evidence whatsoever.

10. After hearing of the case was closed, it occurred to this Tribunal that the concerned Clerk officiating as Teller is a proper party to be heard before answering the reference. Accordingly, as per order dated 3-6-94 Sri Baisakhee Meher was added as a party and he was noticed to have his say in the matter. In response to the notice though he filed his counter and some documents yet he did not appear before the Tribunal nor expressed his desire to lead any evidence.

11. As the matter stands, certain facts are the admitted facts from both the parties and besides that the second party-workman has proved the same through the evidence adduced by him. In that connection, it may be stated that the second party has proved through his evidence and Ext. 1 that in 1981 he joined as a sub-staff in the United Bank of India (management) and on 4-6-84 he was promoted and posted as a General Clerk. He has further proved through his evidence that his representation for transfer on option was allowed on 27-6-88 and as per Ext. 2 he was transferred to Bargarh to fill-up the vacancy due to transfer on option of Sri P. K. Parida, who was also a General Clerk and that he was relieved on 31-12-88. He has further stated in his evidence that on 26-8-88 Sri P. K. Parida was relieved from Bargarh branch but he (the second party) was not

relieved until 31-12-88 and that if he would have been relieved earlier then he would have been eligible to officiate as Teller and would have got Teller allowance of Rs. 189 per month. He has further stated that (after the transfer order) instead of relieving him to join at Bargarh another Clerk of Sambalpur Branch, namely, Baikuntha Dharua was deputed to work in place of Sri P. K. Parida. He has further stated in his evidence that (after joining at Bargarh) he made the representation, Ext. 4 requesting the management to consider his case for officiating as Teller and under the letter Ext. 5 the management rejected his representation on the ground that he was not available at the Bargarh branch when the matter was considered. He has also stated that the management issued the guideline in the letter Ext. 3 relating to selection of Clerk to officiate as Teller. The aforesaid evidence of the second party has not been disputed or challenged by the management while cross-examining him nor any contrary fact was confronted to him. The aforesaid evidence of the workman is also consistent with his pleading in the claim statement. Hence, it can safely be said that the second party has proved his case to the extent mentioned above.

12. It is thus clear from the aforesaid evidence that if the second party would have been relieved within a reasonable time after the transfer order was passed or by 26-8-88 when Sri P. K. Parida was relieved then as per the guideline in the letter Ext. 3 of the management the workman would have been the eligible candidate to officiate if he was otherwise not to be preferred by the management or if he would not have been willing to officiate. The management has not adduced any evidence to substantiate their case advanced in the written statement. Thus, when admittedly the transfer order was passed on 27-6-88 and P. K. Parida was relieved on 26-8-88 and when one Baikuntha Dharua from Sambalpur was deputed to work in place of P. K. Parida though the workman was transferred in place of P. K. Parida, management should have come up with positive case and definite explanation and the same should have been tendered in evidence so that the Tribunal could have assessed the justification in the stand taken by the management. Thus, in a nut-shell it may be stated that the management has failed to prove the stand taken by it. That, however, automatically does not prove the case of the workman. As stated in the preceding paragraph, the workman through oral and documentary evidence has proved the factual aspect relating to the delay in relieving him.

13. At this juncture, the crucial point which falls for consideration is whether the management did not relieve the workman only to deprive him from getting the benefit or whether it was due to any other reason but not a case of intentional victimisation in the alleged manner. In that context, at the risk of repetition, it may be mentioned that, according to the workman it was an intentional act of the management to deprive him from getting the officiating allowance. On the other hand, the management has said that on administrative ground the second party could not be relieved as (i) two out of four clerks whose case of transfer on option from Sambalpur branch was considered were allowed to be transferred on compassionate i.e., medical ground, hence they were relieved soon after the transfer orders, (ii) no substitute was provided against the transfer of the workman and the other and if all the four Clerks would have been relieved then there would have been administrative inconvenience, and (iii) Bakuntha Dharua a deputed Clerk to Sambalpur was only deputed to Bargarh as a stop-gap arrangement. Notwithstanding the fact that the management did not prove that part of its case but the W.W. No. 1 in his evidence has stated that there were 15 Clerks in Sambalpur branch and including him three to four Clerks were transferred to different places. On the other hand, the second party has not led any evidence to say that the aforesaid stand taken by the management is not true. Even in his own evidence he has not stated anything specifically that the aforesaid grounds advanced by the management is false. Under such circumstance, though the fact remains that there was delay in relieving the workman for which he could not officiate as Teller, but for the same, hardly any motive can be attributed against the management. It may be due to communication gap for properly implementing the transfer order, or due to lack of foresight

with the authorities to not to post relievers/substitute while transferring numbers of Clerks from Sambalpur branch or lack of prompt steps taken by the branch Manager, Sambalpur in dealing with the matter relating to relieving the second party but certainly nothing positive has been proved that the management acted with malice and delayed the matter with a view to deprive the second party from officiating as Teller.

14. Be that as it may, when Sri Baikuntha Dharua could be deputed to Bargarh instead he could have been acquainted with the work and the files which the workman was dealing with at Sambalpur so that the workman could have been relieved in the month of August, 1988 i.e., after about two months from the date of transfer order. In that connection, when the management has not examined the concerned Branch Manager and has led no evidence, it is found that the action of the management in not relieving the workman in time is not justified though the said action is neither actuated with malice or with the intention to deprive the workman from getting the Teller allowance.

15. In that connection, the argument advance by the management basing upon the Circular No. PD/82/86 dated 19th November, 1986 is a mere misconception on the part of the management. According to the management the workman was not getting any special allowance while working at Sambalpur and no such posts were vacant by the time he joined at Bargarh. Thus, according to para 13 of the above circular, he is not entitled to officiate as Teller. During the course of argument the representative of the management being questioned by the Tribunal contended that if the workman would have joined at Bargarh in the month of August or September, then he would have been eligible to officiate as Teller. It may be noted here that para 13 of that circular provides that if a Clerk is drawing any special allowance at his former branch and his option for transfer is considered and allowed and he accordingly joined the later branch at the bank, then in such a case he can not claim that special allowance in the later branch. However, he will be eligible to officiate in any post carrying/warranting special allowance if vacant by the time of his joining. Thus, a plain reading of the said paragraph of the circular it is clear that the said provision is not applicable to the present case in as much as that provision deals with drawing of special allowance by a clerk in his former station. It has thus no application to a case of the present nature where admittedly the workman was not drawing any special allowance at his former branch i.e., at Sambalpur. If for the sake of discussion, the argument of the management will be accepted that the second part of that para is applicable which reads that "He/she will, however, be eligible for any post carrying/warranting special allowance be it permanent or temporary, which has fallen vacant after his/her joining", then the said clause enables a clerk to officiate in a special allowance post which falls vacant after his joining. The word 'joining' in such a case, according to the management is 2-1-89 in the case at hand and by that date the post of Teller was not vacant. This contention of the management is not sustainable because of the provision in para 17(f) and 34 of the said circular. Para 17(f) mentions regarding the date of vacancy whereas para 34 prescribes that option transfer will be considered when substitute can be provided. Hence, the management is bound by the circular issued by it. Thus, in the absence of the proof that while considering the case of the workman for transfer on option, no substitute was provided (for any reason whatsoever) it will be deemed that when the option of the workman was allowed, as per the provision in para 34 of the circular a substitute was provided or deemed to have been provided. Hence, while interpreting the term 'joining' if the aforesaid provision and the fact relating to the date of relieving the workman will be considered, then though the date of joining is to be construed as 2-1-89, but because of the fact that the transfer order was passed in June '88 hence the management could have relieved the workman earlier instead of detaining him at Sambalpur as a result of which he was deprived to officiate and Baisakhee Meher who is junior to him in service was allowed to officiate as Teller. Even giving that approach also the action of the management in not relieving him in time and not allowing him to officiate as Teller is unjustified.

16. At this juncture, it is to be considered as to what relief the workman is entitled to. The post of Teller is one at the Bargarh Branch. The workman would have been entitled to officiate if he would have been relieved in time. The representation of the workman i.e., Ext. 4 shows that he did not claim the allowance with effect from 26-8-88 (when the post fell vacant due to transfer of P. K. Parida) or 2-1-89 (when the workman joined at Bargarh Branch). On the other hand he made the representation Ext. 4 claiming the benefit prospectively. Even in his evidence he has not stated anything claiming the benefit retrospectively. In preceding paragraphs it has been found that the action of the management is not justified for not relieving him in time for entitling him to the consequential benefits. When, in the meantime Baisakhee Meher, (A Clerk junior to the workman) has been allowed to officiate and get the Teller allowance for no fault or lapses from the side of the workman thus he should not any further be deprived from getting that benefit to which he is entitled to.

17. Accordingly, the reference is answered and the Award is passed that action of the management is not justified in not relieving him in time as a result of which he was not allowed to officiate and get the Teller's allowance and in that connection though the action of the management was not actuated with malice or ill-motive but the workman was debarred to get his legal entitlement from officiating though there was no fault from his side. Hence, not allowing him to officiate even after representation (Ext. 4) is also not justified. Accordingly, the award is passed to the further effect that the workman is entitled to officiate as Teller, since he is willing to do that job and as he is senior to Sri Baisakhee Meher and if he would have been relieved in time he would have been eligible to officiate in preference to Sri Baisakhee Meher. Hence, the award is to the further effect that the workman be allowed to officiate as Teller and to get the Teller allowance so long he is eligible and this part of the award is prospective if it is implemented within two months from the date of publication of the Award. However, if the award is not implemented within the stipulated period, then the management will be liable to pay compensation at the rate of Rs. 189 per month to the workman with effect from 24-2-89 until he is granted such benefit to officiate as Teller.

Dictated and corrected by me.

P. K. TRIPATHI, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का.आ. 3392.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महानगर टेलीफोन निगम लि., नई दिल्ली के प्रबंधताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, मनुवंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-94 को प्राप्त हुआ था।

[संख्या एल-40011/7/91-आई.आर. (ओ.यू.)]

के.वी.बी. उन्नी, ईस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3392.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Mahanagar Telephone Nigam, Ltd., New Delhi and their workmen, which was received by the Central Government on 9-11-1994.

[No. L-40011/7/91-IR (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 150/91

In the matter of dispute

BETWEEN

Shri Shibboo, Shri Chand, Inderjeet and
Pappu through Divisional Secretary,

Bhartaya Mahanagar Telephone Nigam Karamchari
Sangh,

T-15, Atul Garov Road, New Delhi-110001.

Versus

General Manager,

Mahanagar Telephone Nigam Ltd.
Jeewan Bharti Building (12th Floor)
New Delhi-110001.

APPEARANCES :

Shri Pyare Lal Beri—for the workmen.

Shri N. C. Sikri with Shri V. K. Rao—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40011/7/91-I.R. (DU) dated 19-11-91/5-12-91 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of M.T.N.L., New Delhi in terminating the services of S/Shri Shibboo, Shri Chand Inderjeet and appu w.e.f. 31-3-89 is justified. If not, what relief the concerned workmen are entitled to ?"

2. The representative for the workmen made statement that the workmen were interested in pursuing this case and even their whereabouts were not available. He further stated that No dispute award in this case may be passed.

3. In view of the statement of the representative for the workmen no dispute award is passed in this case leaving the parties to bear their own costs.

Dated : 18th October, 1994.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3393.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-1994 को प्राप्त हुआ था।

[संख्या एल-12012/450/86-डी० 2(ए०)/ग्राइ.आर.
(बी-2)]

बी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3393.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 8-11-1994.

[No. L-12012/450/86-DII(A)/IR(B.II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 67/87

In the matter of dispute :

BETWEEN

Shri S.C. Mittal,
through the President,
Central Bank Worker's Organisation,
Madhupura,
Station Road, Aligarh-1.

Versus

The Regional Manager,
Central Bank of India,
Regional Office,
Agra.

APPEARANCES:

Shri A. K. Kulshreshtha for the workman.

Shri N. K. Kataria for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/450/86-D.II(A) dated 11-7-87 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India, Regional Officer, Area, in not giving back date seniority to Shri S.C. Mittal, Clerk, Aligarh, is justified? If not, to what relief is the workman entitled?"

2. Representative for the workman made statement that the workman is not interested in pursuing the case and No. Dispute award may be passed in the case.

3. In view of this statement No dispute award is passed in this case leaving the parties to bear their own costs.

1st November, 1994.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3393.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-1994 को प्राप्त हुआ था।

[संख्या एल-12012/454/86-डी० 2(ए०)/ग्राइ.आर.
(बी-2)]

बी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3394.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 8-11-1994.

[No. L-12012/454/86-DII(A)/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA; PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 55/87

In the matter of dispute

BETWEEN

Shri N. D. Saraswat,
through The President,
Central Bank Workers Organisation,
Madhupura Station Road,
Aligarh.

Versus

The Regional Manager,
Central Bank of India,
Regional Office,
Agra.

APPEARANCES:

Shri A. K. Kulshrestha for the workman.

Shri N. K. Kataria for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. 12012/454/86-D.II(A) dated 1-7-87 has referred the following industrial dispute to this Tribunal for adjudication

"Whether the action of the management of Central Bank of India in not giving officiating chance after 30-9-1985 to Shri N. D. Saraswat, Clerk Aligarh branch is justified? If not, to what relief the workman is entitled?"

2. The representative for the workman made statement that the workman is not interested in pursuing with the case and no dispute award may be passed in this case.

3. In view of this statement No dispute award is passed in this case leaving the parties to bear their own costs.

1st November, 1994.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3395:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आंध्रा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-1994 को प्राप्त हुआ था।

[संख्या एल-12012/200/93-आई.आर. (बी-2)]

वी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3395.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Andhra Bank and their workmen, which was received by the Central Government on 8-11-1994.

[No. L-12012/200/93-IR(B-II)]

V. K. SHARMA, Desk Officer.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 25/94

In the matter of dispute

BETWEEN

Smt. Usha through
The General Secretary,
Andhra Bank Employees Union,
C/o. Andhra Bank, Service Centre,
17-A/64 Ajmal Khan Road,
Karol Bagh,
New Delhi.

Versus

Deputy General Manager,
Andhra Bank, Zonal Office,
11/6B, Shanti Chambers,
Pusa Road,
New Delhi.

APPEARANCES:

Shri S. K. Jain for the Management

Shri V. K. Juneja for the workman.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/200/93-IR B-2 dated

2-3-94 as referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the Management of Andhra Bank, New Delhi in not giving Smt. Usha the status of regular part-time Sweeper on one-third scale wages with effect from 3-4-1989 is justified ? If not, what relief, is the workman entitled to ?"

2. The representative for the parties made statement that with the mutual negotiations the matter has been sorted out and no dispute exist between the parties and no dispute award be given in this case.

3. In view of their statement No dispute award is given leaving the parties to bear their own costs.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3396:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दैनिक और बड़ीदा के प्रबन्धतंत्र के संबद्ध नियोजक और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-1994 को प्राप्त हुआ था।

[संख्या एन-12011/26/92-प्राई.आर. (धी-2)]

बी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3396.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 8-11-1994.

[No. I-12011/26/92-IR(B.II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING OFFICER : CENTRAL GOVT. INDUSTRIAL TRIBUNAL: NEW DELHI

I.D. No. 73/92

In the matter of dispute between :

Shri Raj Kishore Gaur, Control Room Attendant, Clerical Cadre through General Secretary, Bank of Baroda Employees Association, Bank of Baroda, Sansad Marg, New Delhi-110001.

Versus

Assistant General Manager,
Bank of Baroda,
16, Sansad Marg, New Delhi-1

APPEARANCES :

Shri A.K. Sharma for the Union,

Shri T. C. Gupta for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. I-12011/26/92-IR(B-II) dated 10-8-92 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Bank of Baroda of not converting the Control Room Attendants to Clerical cadre, is justified ? If not, to what relief is the workman entitled to?"

2. On 3-10-94 the parties and their representative made statement that the workman has since already been converted into clerical cadre and therefore, the reference has become infructuous. It was further stated that the workman may be allowed to pursue his claim for allowance in accordance with the law and no dispute award in this reference may be passed.

3. In view of this statement of the representative for the parties No dispute award is passed in this case. However, the workman is at liberty to make his claim for allowance if any according to law.

3rd October, 1994.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3397:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल डैनिक और इंडिया के प्रबन्धसंस्थ के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-1994 को प्राप्त हुआ था।

[संख्या एन-12012/225/92-प्राई.आर. (धी-2)]

बी.के. शर्मा, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3397.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 8-11-1994.

[No. I-12012/225/92-IR(B.II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 95/92

In the matter of dispute between :

Shri V. K. Pandey,
through Central Bank Staff Union.
Central Bank Building,
Chandni Chowk, Delhi-6

Versus

Zonal Manager,
Central Bank of India,
Zonal Office,
Chandni Chowk,
Delhi-6.

APPEARANCES :

None—for the parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/225/92-IRB-2 dated 12th October, 1992 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India in terminating the services of Shri V. K. Pandey vide order dated 19th July, 1988 is justified? If not, to what relief is the workman entitled?"

2. In this case inspite of the fact that the case was called many times none appears. It appears that the parties were not interested in pursuing this case. No dispute award is passed in this case leaving the parties to bear their own costs.

3rd October, 1994.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 नवम्बर, 1994

का.आ. 3398 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, पंजाब नेशनल बैंक के प्रबन्धताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-94 को प्राप्त हुआ था।

[संख्या एल-12012/446/91-आई आर (बी-II)]
वी.०क०, डैस्ट्रॅक्ट अधिकारी

New Delhi, the 9th November, 1994

S.O. 3398.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 8th November, 1994.

[No. L-12012/446/91-IR(B.II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 42/92

In the matter of dispute between :

Shri Arun Rana through Mahasachiv,
Punjab National Bank Employees Union.
W-8, Green Park, New Delhi

Versus

Zonal Manager,
South Delhi Region,
Punjab National Bank,
F-14, Competent House,
Connaught Circus,
New Delhi-110001.

APPEARANCES :

Shri V. K. Gupta—For the workman.
Mrs. Rita Katyal—For the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/446/91-IR(B2) dated 16th April, 1992 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Punjab National Bank in terminating the services of Shri Arun Rana w.e.f. 13th July, 1987 is justified? If not, to what relief the workman concerned is entitled?"

2. The parties in this case have settled the dispute and made statement. As per their statements no dispute exists. The parties have filed Minutes of understanding arrived at between the parties and marked as Ex. M1. Ex. M1 shall form part of this order and party shall remain bound by the terms of this settlement. They shall bear their own costs of the dispute.

10th October, 1994.

GANPATI SHARMA, Presiding Officer

MJNUTES OF UNDERSTANDING ARRIVED ON BETWEEN THE MANAGEMENT OF PNB AND PNB EMPLOYEES UNION OVER ALLEGED TERMINATION OF SERVICES OF SHRI ARUN RANA PREV. CLERK/CASHIER AT BO: GREEN PARK EXTN., NEW DELHI

The General Secretary of PNB Employees Union Delhi raised an industrial dispute vide his letter dated 21st August, 1991 over the alleged termination of services of Shri Arun Rana, the then Clerk/Cashier, BO: Green Park Extn., New Delhi. On receipt of the dispute, the matter was seized into conciliation by the ALC(C), Delhi and the conciliation proceedings finally ended in failure on 18th December, 1991. Thereafter the matter was referred by the Central Government for adjudication to CGIT, New Delhi. Before CGIT, New Delhi it was put forth by the Management that Shri Rana had voluntarily deserted his services as he did not report for his duties w.e.f. 18th January, 1987 till 13th July, 1987. Various letters sent to Shri Rana by the Bank advising him to report for his duties were not taken cognizance of by Shri Rana. It was, therefore, decided by the bank to treat Shri Rana as voluntarily retired from the bank's service w.e.f. 13th July, 1987 in terms of provisions of the Bi-partite Settlement.

Subsequently Shri Rana approached the bank for reinstatement in the bank service through his representation dated 8th March, 1988, which was not considered by the bank in view of pending criminal case and the fact that his voluntary retirement was in terms of provisions of Bi-partite Settlement.

From the workman side, it was contended that the voluntary retirement of Shri Rana was not as per the provisions of Bipartite Settlement and could not be resorted to by the bank. The Union further submitted that notices sent by the bank to Shri Rana, treating him to have been voluntarily retired, were not received by him and as such, the bank's action was not justified. Further Shri Rana had left his place of stay/work without any intimation due to his mental illness and as such, the bank should not take such an action in view of the fact that when the bank had got him medically examined from a Medical Board to determine his fitness or otherwise for the bank's service he was found to be medically fit. Therefore, keeping in view the fact that he has been declared medically fit for the bank's service, the bank should reinstate him forthwith with all the consequential benefits.

Though the steps taken by the bank in the case of Shri Rana in the matter of his voluntary retirement from the bank's service are as per the provisions of Bipartite Settlement, yet keeping in view the fact that Shri Rana could not report for duties because of his mental illness and also that even his parents were not aware of his whereabouts and that when he was located he reported for duties to the bank and on being got medically examined by the bank, he was found fit to perform the bank duties, it has been decided to resolve the dispute amicably on the following terms:—

1. It is agreed that Arun Rana will be reinstated in the bank's service in clerical cadre with the designation of Clerk-cum-Cashier w.e.f. 5th October, 1994. On his reinstatement, Shri Rana will draw the basic pay of Rs. 1500 and allowances as admissible to him as per bank rules.
2. In case Shri Arun Rana does not report for duties at Zonal Office, Delhi on 5th October, 1994, he will be treated to have been reinstated in the bank's service w.e.f. the date he reports for his duties and the treatment of intervening period will be in terms of Clause 5 below.
3. The services of Shri Rana will be utilised at any, branch/office in Delhi Zone, keeping in view the requirement of the bank.
4. The period of absence of Shri Rana from bank's service from 18th January, 1987 to the date he reports for his duties, would be treated as extra ordinary leave on loss of pay.
5. Shri Rana will not be entitled to any back wages and other benefits, financial or otherwise for the period of his absence i.e. 18th January, 1987 to the date of his reporting for duties to Zonal Office, Delhi.
6. In case at any stage it is established that any criminal case/Court case is pending against Shri Rana in any Court of law in India, he will be liable to any action as deemed fit by the bank.
7. This understanding is being arrived at in view of the specific facts and circumstances of the case and will not be quoted as precedent in any manner by the parties.

Sd/-

Representing Management

Sd/- Illisible
Representing Workman

नई दिल्ली, 9 नवम्बर, 1994

का.आ. 3399 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार मैसर्स, रेयर अर्थ लिमिटेड, छत्तग्राम, जिला-गनजम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके 2643 GI/94-5

कर्मकारों के बीच, अनुबंध में निरिष्ट औद्योगिक विवाद में औद्योगिक अधिकारण, उडीसा, भुबनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार 08-11-94 को प्राप्त हुआ था।

[मंद्या एल-29012/45/91-आई आर (विविध)]

वी.एम. डेविड, ईस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3399.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 8-11-1994.

[No. L-29012/45/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL; ORISSA,
BHUBANASWAR

PRESENT :

Shri P. K. Tripathy, M.A. L.L.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 29 of 1992 (Central)

Dated, Bhubaneswar the 28th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam
—First Party-management.

AND

Their workmen represented through Rare Earth employees Union (OSCOM) P.O. Matikhala Distt. Ganjam.
—Second Party Workmen.

APPEARANCES :

Shri S. K. Patra, Asst. Manager.—For the first (Personnel) party-Management.

Shri A. K. Choudhury, General Secretary of the Union.—For the Second Party-Workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section-2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of

1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. 29012/45/91-IR(Misc.) dated 3-7-92.

"Whether the action of the Indian Rare Earth Ltd., (OSCOM), Chhatrapur management is justified in not regularising Shri P. K. Behera like other trainees. If not to what relief the employee is entitled to?"

2. This case had been posted to 23-9-94 at Chhatrapur circuit for settlement of issues. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned. Dictated and corrected by me.

Dated : 28-10-1994.

P. K. TRIPATHY, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का.आ. 3400:—औद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैमर्स रेयर अर्थ लिमिटेड, छतरपुर, जिला गन्जम के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक प्रधिकरण, उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/48/91-आई आर (विविध)]
वी.एम. डेविड, डैस्क प्रधिकारी

New Delhi, the 9th November, 1994

S.O. 3400.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/48/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA BHUBANESWAR

PRESENT:

Shri P. K. Tripathy, M.A.LL.B
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 37 of 1992 (Central)

Dated, the Bhubaneswar, 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd. (OSCOM) Chhatrapur, Distt. Ganjam.—First party-management

AND

Their workmen represented through Rare Earth Employees Union (OSCOM), P.O. Matikhalo, Dist. Ganjam.—Second party-workmen.

APPEARANCES:

Sri S. K. Patra, Asst. Manager, (Personnel)
—for the first party management.

Sri A. K. Choudhury General Secretary of the Union.—For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. 29012/48/91-IR(Misc.) dt. 5-8-92.

"Whether the action of the Indian Rare Earth Ltd. (OSCOM), Chhatrapur management is justified in not regularising Shri Brundaban Behera after completion of one year service like other trainees. If not to what relief the employee is entitled to?"

2. This case had been posted to 22-9-1994 at Chhatrapur circuit for recording settlement. On this date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner, (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned. Dictated & corrected by me.

P. K. TRIPATHY, Presiding Officer.

Dt. 29-10-1994.

नई दिल्ली, 9 नवम्बर, 1994

का.श्रा. 3401.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में सर्वसं, इण्डियन रेशर अर्थ लिमिटेड, छत्तरपुर, जिला—गनजाम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट आंदोलिक विवाद में आंदोलिक अधिकरण, उड़िसा, भुवनेश्वर के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/54/91 आई आर (विविध)]

बी.एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3401.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, ORISSA, BHUBANESWAR. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatarpur, Dist. Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. L-29012/54/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT:

Shri P. K. Tripathy, M.A., LL.B.
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 36 OF 1992 (CENTRAL)

Dated, Bhubaneswar the 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd.
(OSCOM), Chhatarpur, Distt. Ganjam.
—First party—management.

AND

Their workmen represented through Rare Earth Employees Union (OSCOM) P.O. Matikhalo, Dist. Ganjam. Second party workmen.

APPEARANCES:

Sri S. K. Patra, Asst. Manager. (Personnel)
—For the first party-management.
Sri A. K. Choudhury, General Secretary of the
Union.—For the second party workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L. 29012/54/91 (Misc.) dt. 3-7-92.

“Whether the action of Indian Rare Earth Ltd. (OSCOM), Chhatarpur management is justified in not regularising Shri P. K. Sahu, Optr. after completion of one year service like other trainee. If not to what relief the employee is entitled to?”

2. This case had been posted to 22-9-1994 for hearing at Chhatarpur circuit. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central) Bhubaneswar, a no dispute Award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

P. K. TRIPATHY, Presiding Officer.
Dated : 29-10-1994.

नई दिल्ली, 9 नवम्बर, 1994

का.श्रा. 3402.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में सर्वसं, इण्डियन रेशर अर्थ लिमिटेड, छत्तरपुर, जिला—गनजाम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट आंदोलिक विवाद में आंदोलिक अधिकरण, उड़िसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/53/91 आई आर (विविध)]

बी.एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3402.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatarapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/53/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 35 of 1992 (Central)

Dated, the Bhubaneswar, 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatarapur, Distt. Ganjam.

..First party—management

AND

Their workmen represented through Rare Earth Employees Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. ..Second party—
workmen.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager, (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. 29012/53/91-IR (Misc.) dated 3-7-1992 :—

“Whether the action of the Indian Rare Earth Ltd., (OSCOM), Chhatarapur management is justified in not regularising Shri L. N. Mishra, Operator after completion of one year service like other trainee. If not to what relief the employee is entitled ?

2. This case had been posted to 22-9-1994 at Chhatarapur Circuit for hearing. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dated : 29-10-1994.

P. K. TRIPATHY, Presiding Officer,

नई दिल्ली, 9 नवम्बर, 1994

का.आ.3403.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमति में, केन्द्रीय सरकार मेसर्स इंडियन रेयर अर्थ लिमिटेड, छत्तरपुर, जिला—गनजम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उड़िमा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/51/91-आई आर (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3403.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatarapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/51/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA. BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 34 of 1992 (Central)

Dated, the Bhubaneswar, 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd.
(OSCOM) Chhatrapur, Distt. Ganjam.
..First party—management.

AND

Their workmen represented through Rare Earth
Employees Union (OSCOM), P.O. Matik-
halo, Distt. Ganjam. .Second party—
workmen.

APPEARANCES :

Sri S. K. Patra, Asstt. (Manager, (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour
in exercise of the powers conferred upon it by clause
(d) of sub-section (1) of and sub-section 2(A) of
Section 19 of the Industrial Disputes Act, 1947 (14
of 1947) have referred the following dispute for
adjudication by this Tribunal vide their Order No.
29012/51/91-IR (Misc.) dated 3-7-1992 :—

“Whether the action of the Indian Rare Earth
Ltd., (OSCOM), Chhatrapur management
is justified in not regularising Shri N. K.
Mohapatra after completion of one year
service like other trainees. If not to what
relief the employee is entitled to?”

2. This case had been posted to 22-9-1994 at
Chhatrapur Circuit for recording settlement. On that
date the representatives of both the parties by filing
a memo stated that the dispute under reference has
already been resolved amicably between the parties
before the Regional Labour Commissioner (Central),
Bhubaneswar. They have further stated that in view
of the compromise, a no dispute Award may be
passed. The terms of the compromise are read over
and explained to both the parties to which they
admitted to be true and correct. On perusal of the
tripartite settlement, it appears that the dispute under
reference has already been settled between the
parties.

3. Hence, keeping in view the aforesaid submission
of the parties and the settlement arrived at
between them before the R.L.C.(C) a no dispute
Award is passed in so far as the present reference
is concerned.

Dictated and corrected by me.

P. K. TRIPATHY, Presiding Officer.

Dated : 28-10-1994

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3404.—श्रौद्धोगिक विवाद अधिनियम,
1947 (1947 का 14) की धारा 17 के अनुसरण में,
केन्द्रीय सरकार मैसर्स इन्डियन रेयर अर्थ लिमिटेड, चटरा-
पुर, जिला-गनजाम के प्रबन्धतात्र के संबद्ध नियोजकों और
उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद
में श्रौद्धोगिक अधिकरण, उडिसा, भुवनेश्वर के पंचपट को
प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को
प्राप्त हुआ था।

[संख्या एल-29012/50/91—आई आर (मिस.)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3404.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby publishes the award of the
Industrial Tribunal, Orissa, Bhubaneswar. As shown
in the Annexure, in the industrial dispute between
the employers in relation to the management of
M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur,
Distt. Ganjam and their workmen, which was received
by the Central Government on 08-11-94.

[No. L-29012/50/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 33 of 1992 (Central)

Dated, the Bhubaneswar, 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd.,
(OSCOM) Chhatrapur, Distt. Ganjam.

..First party—management.

AND

Their workmen represented through Rare Earth
Employees Union (OSCOM), P.O. Matik-
halo, Distt. Ganjam. .Second party—
workmen.

APPEARANCES :

Shri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. 29012/47/91-IR (Misc.) dated 3-7-1992 :—

“Whether the action of the Indian Rare Earth Ltd., (OSCOM), Chhatrapur management is justified in not regularising Shri M. K. Pachi, Ptr. after completion of one year service like other trainees. If not, to what relief the employee is entitled to?”

2. This case had been posted to 22-9-1994 at Chhatrapur Circuit for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dated : 28-10-1994.

P. K. TRIPATHY, Presiding Officer.

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3495. —श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इण्डियन रेयर अर्थ लिमिटेड, चटरापुर, जिला-गंगाजाम के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधोगिक विवाद में श्रीधोगिक प्रधिकरण, उड़िसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[मंड्या एल—29012/47/91—श्री आर (मिर)]

बी. एम. डेविड, डैस्ट्रिक्ट अधिकारी

New Delhi, the 9th November, 1994

S.O. 3405.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/47/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA
BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 31 of 1992 (Central)
Dated, Bhubaneswar, the 26th October, 1994

BETWEEN

The management of Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam.
..First party—management.

AND

Their workman represented through Rare Earth Employees' Union, (OSCOM), P.O. Matikhalo, Distt. Ganjam. ..Second party—
workman.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/47/91-IR (Misc.) dated 3-7-1992 :—

“Whether the action of the Indian Rare Earth Ltd. (OSCOM), Chhatrapur management is justified in not regularising Shri Y. Chitti Babu after completion of one year service like other trainees. If not, to what relief the employee is entitled?”

2. This case had been posted to 27-9-1994 for recording settlement. On that date both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C), a no dispute award is passed in so far as the present reference is concerned.

D dictated and corrected by me.

Dated : 26-10-1994.

P. K. TRIPATHY, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3406.—श्रोतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स, इण्डियन रेयर अर्थ निमिटेंड, चतरापुर, जिला—गणजाम के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रोतोगिक विवाद में श्रोतोगिक अधिकरण, उद्दीपा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/46/91—ग्राइंड आर (विविध)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3406.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd. (OSCOM), Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. I-29012/46/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 30 of 1992 (Central)

Dated, Bhubaneswar, the 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam.
...First party—management

AND

Their workmen represented through Rare Earth Employees Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. . .Second party—workman

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the Union.—For the second party—workman.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide Order No. L-29012/46/91-IR (Misc.) dated 3-7-1992 :—

“Whether the action of the Indian Rare Earth Ltd. (OSCOM), Chhatrapur management is justified in not regularising Shri J. K. Sahu, Operator after completion of one year service like other trainees. If not to what relief the employee is entitled ?”

2. This case had been posted to 23-9-1994 for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central), Bhubaneswar, a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. K. TRIPATHY, Presiding Officer

Dated : 29-10-1994.

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3407.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इंडियन रेअर अर्थ लिमिटेड, छतरपुर, जिला—गनजाम के प्रबन्धनाल के संबंद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकरण, उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/63/91-ग्राई आर (विविध)]
बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3407.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. L-29012/63/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 2 of 1993 (Central)
Dated, Bhubaneswar, the 26th October, 1994

BETWEEN

The management of Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam.

...First party—management.

AND

Their workmen represented through Rare Earth Employees' Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. . .Second party—workmen.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workmen

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their order No. L-29012/63/91-IR (Misc.) dated 11-12-1992 :—

“Whether the action of the management of Indian Rare Earth Ltd. is justified in not granting E.L. to the employees who were appointed as trainees in their (Mining) establishment for the training period? If not, to what relief they are entitled to?”

2. This case had been posted to 27-9-1994 for recording settlement. On that date both the parties by filing a memo stated that the dispute under reference has already been settled amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (C), a no dispute award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. K. TRIPATHY, Presiding Officer.

Dated : 26-10-1994.

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3408.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स, इंडियन रेअर अर्थ लिमिटेड, छतरपुर, जिला—गनजाम के प्रबन्धनाल के संबंद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में श्रौद्धोगिक अधिकरण, उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/66/91-ग्राई आर (विविध)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3408.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist. : Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. L-29012/66/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA : BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A. LL.B.,
Presiding Officer, Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 1 OF 1993 (CENTRAL)

Bhubaneswar, the 26th October, 1994

BETWEEN

The management of Indian Rare Earth Ltd.,
(OSCOM), Chhatrapur, Dist : Ganjam.
... First party management.

AND

Their workmen represented through Rare Earth
employees' Union (OSCOM), P.O. Mati-
khalo, Dist : Ganjam.
... Second party workman.

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).—For
the first party management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party.—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) & 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/66/91-IR(Misc.) dt. 9-12-92 :—

“Whether the action of the management of Indian Rare Earth Ltd. is justified in not granting E.L. to the employees who were appointed as trainees in their (Mining) establishment for the training period ? If not, to what relief they are entitled to ?”

2. This case had been posted to 27-9-94 for recording settlement. On that date representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C.(C), a no dispute award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

P. K. TRIPATHY, Presiding Officer

Dated : 26-10-94

तर्द दिल्ली, 9 नवम्बर, 1994

का. आ. 3409.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इंडियन रेवर अर्थ लिमिटेड, छत्तरपुर, जिला—गनजाम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कमिकारों के बीच, अनुबंध, में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उडिसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था ।

[मंस्त्रा एन--29012/55/91—आई आर (विविध)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3409.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal ORISSA, BHUBANESWAR. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/55/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL: ORISSA: BHUBANESWAR:

PRESENT :

Sri P. K. Tripathy, M.A.LL.B.
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 40 OF 1992
(CENTRAL)

Dated, Bhubaneswar the 29th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earth Ltd. (OSCOM), Chhatrapur, Dist: Ganjam. . .First party-management

AND

Their workman represented through Rare Earth Employees Union (OSCOM) P. O. Matikhalo, Dist: Ganjam. . . Second-party-workman

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).- . .
For the first party-management

Sri A. K. Choudhury, General Secretary of the Union.—For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their order No. 29012/55/91-IR(Misc.) dt. 5-8-92.

“Whether the action of the Indian Rare Earth Ltd. (OSCOM) Chhatrapur management is justified in not regularising Shri B. Pradhan after completion of one year service like other trainees. If not to what relief the employee is entitled to?”

2. This case had been posted to 22-9-94 at Chhatrapur circuit for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

Dt. 29-10-94

P. K. TRIPATHY, Presiding Officer

नक्त दिनांक, 9 नवम्बर, 1994

का. अ. 3410.—प्रोत्येकिक विवाद अधिनियम, 1947 (1947 का 14) की भारा 17 से अनुसरण में, केन्द्रीय सरकार ने नियमित वर्ष लिमिटेड, छापुर, जिला—गणजाम के प्रबन्धालंब वे संबद्ध नियोजकों और उनके कार्यकारों के बीच, अनुबंध में विविष्ट अधिकारिक विवाद में अंतिमता अधिकार, उडिया, भुवनेश्वर के पंक्षपट को प्रकाशित करती है, जो केन्द्रीय सरकार ने 08-11-94 को प्राप्त कुआ था।

[संख्या प्रक्र.—29012/52/91—ग्राही वार (विविध)]

वी. एम. डेविल, डेस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3410.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal ORISSA, BHUBANESWAR. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-194

[No. L-29012/52/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL: ORISSA: BHUBANESWAR:

PRESENT :

Sri P. K. Tripathy, M.A.LL.B.
Presiding Officer.
Industrial Tribunal.
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 38 OF 1992
(CENTRAL)

Dated, Bhubaneswar the 26th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earth Ltd. (OSCOM), Chhatrapur, Dist: Ganjam. . .First party-management

AND

Their workmen represented through Rare Earth Employees Union (OSCOM) P. O. Matikhala, Distt. Ganjam. . .Second-party-workmen

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party-management

Sri A. K. Choudhury, General Secretary of the Union.—For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section-2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their order No. 29012/55/91-IR(Misc.) dt. 5-8-92.

“Whether the action of the Indian Rare Earths

Ltd. (OSCOM) Chhatrapur management is justified in not regularising Shri K. Sudhakar Rao after completion of one year service like other trainees. If not to what relief the employee is entitled to?”

2. This case had been posted to 27-9-1994 for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at

between them before the R.L.C. (C) Bhubaneswar a no dispute Award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

Dt. 29-10-94

P. K. TRIPATHY, Presiding Officer

नदे दिल्ली, 9 नवम्बर, 1994

का. आ. 3411.—ओदीयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार से, कन्द्रीय गवाहार यैसर, द्वितीय रेयर, प्रथम लिमिटेड, छतरपुर, जिला—गनजाम के प्रबंधन के मंबद्ध नियोजकों और उनके कर्मनारों के बीच, अनुबंध में निर्दिष्ट ओदीयिक विवाद में ओदीयिक अधिकार, उड़िसा, भुवनेश्वर के पंचपट के प्राप्ति कर्ता हैं, जो कन्द्रीय सरकार को 08-11-94 का प्राप्त हुआ था।

[संधा एन—29012/22/92—आईआर (विविध)]

धी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3411.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar, as shown in the annexure in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist. Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. L-29012/22/92-IR(Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA :
BHUBANESWAR :

PRESENT :

Shri P. K. Tripathy, M.A.L.L.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 39 OF 1992
(CENTRAL)

Dated, Bhubaneswar, the 29th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earth Ltd.
(OSCOM), Chhatrapur, Dist. Ganjam.
..First Party-management.

AND

Their workmen.

Shri Rama Ch. Nahak
Shri B. K. Sema
Shri Brundaban Pradhan
Shri Doctor Nayak, USW
Shri Subash Ch. Behera, USW
Shri S. K. Behera, Operator
Shri Pradeep Kr. Sethi, Optr.
Shri Shyam Sundar Sahu -do-
Shri P. K. Behera, Optr.
Shri G. Ch. Sethi, Operator

..Second Party workmen

APPEARANCES :

Sri S. K. Patra, Asst. Manager, (Personnel)
---For the first party-management.
Sri A. K. Choudhury, General
Secretary of the Union.
—For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section-2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/22/92-IR(Misc.) dt. 5-8-92.

“Whether the action of the management of I.R.E. Ltd. is justified in not granting E.I. A.L. to the ten employees named above. If not what relief they are entitled to?”

2. This case had been posted to 23-9-94 for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained

to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central) Bhubaneswar, a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dt. 29-10-94

P. K. TRIPATHY, Presiding Officer.

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3412.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार मैमर्स इंडियन रेयर अथवा लिमिटेड, चतरापुर, जिला—गनजाम के प्रबन्धतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उड़िसा, भुवनेश्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 का प्राप्त हुआ था।

[संख्या एल—29012/69/91—आई आर (मिस.)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3412.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar, as shown in the annexure in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist. Ganjam, and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/69/91-IR(Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA .
BHUBANESWAR :

PRESENT :

Shri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 14 OF 1992
(CENTRAL)

नई दिल्ली, 9 नवम्बर, 1994

Dated, the Bhubaneswar, 28th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earth Ltd.
(OSCOM), Chhattrapur, Dist. Ganjam.
..First Party-management.

AND

Their workmen represented through Rare Earth
Employees Union (OSCOM) P.O. Mati-
khala, District Ganjam.

..Second Party workmen

APPEARANCES :

Sri S. K. Patra, Asst. Manager, (Personnel)
--For the first party-management.

Sri A. K. Choudhury, General
Secretary of the Union.
--For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), have referred the following dispute for adjudication by this Tribunal vide their Order No. 29012/69/91-IR(Misc.) dt. 8-4-92.

“Whether the action of the management of Indian Rare Earth Ltd. Chhattrapur is justified in not granting regular scale to Smt. Nirmala Padhy who was appointed on compassionate ground from the date of his appointment? If not to what relief the workman is entitled to?”

2. This case had been posted to 22-9-94 at Chhattrapur Circuit for recording settlement. On that date the representative of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central) Bhubaneswar, a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dt. 28-10-94.

P. K. TRIPATHY, Presiding Officer

का. आ. 3413.—ज्ञानोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार मैमर्स ईंप्रेसन रेपर अर्ड लिमिटेड, चत्तग्राम, जिला—गनजाम के प्रवन्धनतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकारण, उड़िसा, भुवनेश्वर के पंचपट को प्रत्यायित करती है, जो केन्द्रीय सरकार को 08-11-64 को प्राप्त हुआ था।

[मंख्या पन---29012/68/91---गार्ड आर (मिस.)]

बी. एम. डेविड, ईरक अधिकारी

New Delhi, the 9th November, 1994

S.O. 3413.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhattrapur, Dist. Ganjam, and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/68/91-IR(Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA :
BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A.L.L.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 13 OF 1992
(CENTRAL)

Dated, the Bhubaneswar, 27th October, 1994.

BETWEEN :

The management of M/s. Indian Rare Earth Ltd.
(OSCOM), Chhattrapur, Dist. Ganjam.
..First Party-management.

AND

Their workmen represented through Rare Earth
Employees Union (OSCOM) P.O. Mati-
khala, District Ganjam.

..Second Party workmen

APPEARANCES :

Sri S. K. Patra, Asst. Manager, (Personnel)
—For the first party-management.
Sri A. K. Choudhury, General
Secretary of the Union.
—For the second party-workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section-2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No L-29012/72/91-IR-Misc. dated 8-4-1992.

“Whether the action of the management of Indian Rare Earth Ltd. Chhatrapur is justified in not granting regular scale to Sri. Sashi Behera who was appointed on compassionate ground from the date of his appointment? If not to what relief the workman is entitled to?”

2. This case had been posted to 22-9-94 at Chhatrapur Circuit for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (C) a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dt. 27-10-94.

P. K. TRIPATHY, Presiding Officer.

न

ई दिल्ली, 9 नवम्बर, 1994

पा. आ. 3414.—जीवोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार भैरव ईंडियन रेल अर्ड लिमिटेड, चटरापुर, जिला—गोपालगंगा के प्रश्नान्तर के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुवंश में निर्दिष्ट जीवोगिक विवाद में जीवोगिक अधिकार, उत्तिगा, शूक्रवर्ष के पंचपट को प्रकाशित करनी है, यो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुक्म था।

[मंदा एल—29012/72/91—ग्राही वार (पिं.)]
वी. एस. उपेन्द्र, डैस्ट्रिक्ट अधिकारी

New Delhi, the 9th November, 1994

S.O. 3414.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, ORISSA, BHUBANESWAR. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist: Ganjam, and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/72/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA :
BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A.L.L.B.
Presiding Officer, Industrial Tribunal, Orissa,
Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 17 OF 1992
(CENTRAL)

Dated, Bhubaneswar, the 26th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earths Ltd., (OSCOM), Chhatrapur, Dist: Ganjam.First party-management

(And)

Their workman represented through Rare Earth Employees' Union (OSCOM), P.O. Matikhalo, Dist: Ganjam. second party-workman.

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).—
For the first party-management.

Sri. A. K. Choudhury, General Secretary of the Union.—For the second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/72/91-IR(Misc.) dated 8-4-92 :—

“Whether the action of the management of Indian Rare Earth Ltd., Chhatrapur is justified in not granting regular scale to Sri Ghanashyam Sahu who was appointed on compassionate ground from the date of his appointment? If not, to what relief the workman is entitled to?”

2. This case had been posted to 27-9-94 for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central), a no dispute award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

Dt. 26-10-94

P. K. TRIPATHY, Presiding Officer.

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3415.—ओदियोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार मैसमर्स इंडियन रेयर एर्प लिमिटेड, (जो एम सी और एम) छत्तीसगढ़ जिला—गवाहम के पर्यावरण के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओदियोगिक विवाद में ओदियोगिक अधिकरण, उड़िया, भुवनेश्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-91 को प्राप्त हुआ था।

[अन्धा पल—29012/71/91—प्रार्द्ध आर (मिस.)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3415.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, ORISSA, BHUBANESWAR. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist: Ganjam, and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/71/91-IR(Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA BHUBANESWAR

PRESENT :

Shri P.K. Tripathy, M.A.LL.B.
Presiding Officer;
Industrial Tribunal.
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 16 OF 1992 (CENTRAL)

Dated, Bhubaneswar, the 27th October, 1994
BETWEEN :

The management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Dist: Ganjam. .First party-management.

AND

Their workmen represented through Rare Earth Employees' Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. .Second party-workman.

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).—
For the first party management.

Sri. A. K. Choudhary, General Secretary of the
Union —For the second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/71/91-IR(Misc.) dated 8-4-1992 :—

“Whether the action of the management of Indian Rare Earth Ltd., Chhatrapur is justified in not granting regular scale to Sri Aslam Alli who was appointed on compassionate ground from the date of his appointment ? If not, to what relief the workmen is entitled to ? ”

2. This case had been posted to 27-9-94 for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central), Bhubaneswar a no dispute award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dated : 27-10-1994.

P. K. TRIPATHY, Presiding Officer.

नई दिल्ली, 9 नवम्बर, 1994

AWARD

का. आ. 3416.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमति में, केन्द्रीय सरकार मैं इण्डियन रेयर अर्थ लिमिटेड, ओरेसीएम छत्तगुप्त, जिला—गनजाम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में ओद्योगिक अधिकरण, उडिसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/70/91-आई आर (मिस.)]

बी. एम. डेविड, ईस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3416.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/70/91-IR(Misc)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Shri P.K. Tripathy, M.A.LL.B.
Presiding Officer,
Industrial Tribunal.
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 15 OF 1992
(CENTRAL)

Dated, Bhubaneswar, the 28th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Dist. Ganjam. .First party—management

AND

Their workman represented through Rare Earth Employees' Union (OSCOM), P.O. Matikhalo, Dist. Ganjam, .Second party—
workman

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).—
For the first party—management.

Sri. A. K. Choudhary, General Secretary of the
Union.—For the second party—workman.

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/80/91-IR(Misc.) dated 8-4-92 :—

“Whether the action of the management of Indian Rare Earth Ltd., Chhatrapur is justified in not granting regular scale to Sri Dinabandhu Patra who was appointed on compassionate ground from the date of his appointment? If not, to what relief the workman is entitled to?”

2. This case had been posted to 23-9-94 at Chhatrapur Circuit for recording settlement. On that date the representative of both the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement it appears that the dispute reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central), Bhubaneswar a no dispute award is passed in so far as the present reference is concerned.

Dictated & correct by me.

Dt. 26-10-94

P. K. TRIPATHY, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3417.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमति में, केन्द्रीय सरकार मैं इण्डियन रेयर अर्थ लिमिटेड, छत्तगुप्त जिला—गनजाम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में ओद्योगिक अधिकरण, उडिसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29011/25/92-आई आर (मिस.)]

बी. एम. डेविड, ईस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3417.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Dist: Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. I-29012/25/92-IR(Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Sri P. K. Tripathy, M.A.L.L.S.,
Presiding Officer, Industrial Tribunal,
Orissa, Bhubaneswar.

INDSTRIAL DISPUTE CASE NO. 35 OF 1993
(CENTRAL)

Dated, Bhubaneswar, the 27th October, 1994

BETWEEN :

The management of M/s. Indian Rare Earths Ltd., (OSCOM), Chhatrapur, Dist. Ganjam. .First party—management
AND

Their workman represented through Rare Earth Employees' Union (OSCOM). P.O. Matikhalo, Dist. Ganjam. .Second party—
workman.

APPEARANCES :

Sri S. K. Patra, Asst. Manager (Personnel).—
For the first party management.

Sri. A. K. Choudhary, General Secretary of the
Union.—For the second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/25/92-IR(Misc.) dated 4-10-93 :—

“Whether the claim of Rare Earths Employee's Union that the management of Indian Rare Earths Ltd., was not justified in denying credit of earned leave/annual leave to S/Shti Shankar Patra, B. D. Bhoi, B. N. Panda, Dibakar Behera, Ulla Behara, H. K. Behera, Digamber Behera, S. N. Tripathy, F. Dilu, Narayan Sabar, P.K. Mohapatra, B.N. Patra, Bhikari Behera & K. C. Panda

in the ratio of 1:11 for the training period is justified ? If so, what relief, are the concerned workmen entitled to ?”

2. This case had been posted to 27-9-94 for filing written statement by the management. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved, amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are readover and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central), a no dispute award is passed in so far as the present reference is concerned.

Dicated & corrected by me.

P. K. TRIPATHY, Presiding Officer
Dt. 27-10-94

नई दिल्ली, 9 नवम्बर, 1994

का. आ. 3418.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में इंडिपेन रेयर अर्थ लिमिटेड, छतरपुर, जिला—गन्जाम के प्रबन्धताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उड़िसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29011/2/91-आई आर (मिस.)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3418.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. I-29011/2/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 33 of 1993 (Central)

Bhubaneswar, the 31st October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam.
First party—management.

AND

Their workmen represented through Rare Earth Employees Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. Second party—workmen.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/10/92-JR (Misc.) dated 14-6-1993.

“Whether the action of the management of Indian Rare Earth Ltd., is justified in withdrawing the advance increments already granted to Sri Y. Pati, KD, Operator at the time of appointment. If not, to what relief he is entitled to ?”

2. This case had been posted to 23-9-1944 at Chhatrapur circuit for recording settlement. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (C), Bhubaneswar a No Dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. K. TRIPATHY, Presiding Officer

नई दिल्ली, 9 नवम्बर, 1994

का.आ. 3420.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसारण में, केन्द्रीय सरकार में, इंडियन रेयर एर्थ निमिटेड, छतरपुर, जिला गन्जाम के प्रबंधतात्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुवंध में निर्दिष्ट आंदोलिक विवाद में आंदोलिक अधिकारण, उडीमा, भुवनेश्वर के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-94 को प्राप्त हुआ था।

[संख्या एल-29012/9/92-आई आर (मिस.)]

वी.एम. डेविड, डैस्कशब्दिकार्य

New Delhi, the 9th November, 1994

S.O. 3420.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-1994.

[No. L-29012/9/92-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 25 of 1993 (Central)

Bhubaneswar, the 26th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd., (OSCOM), Chhatrapur, Dist. Ganjam.

First party—management.

AND

Their workman represented through Rare Earth Employees' Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. Second party—workman.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their order No. L-29012/67/92-IR (Misc.) dated 5-8-1993 :—

“Whether the action of the management of Indian Rare Earth Ltd., is justified in withdrawing the advance increments already granted to Dayanidhi Nayak at the time of appointment? If not, to what relief he is entitled to?”

2. This case had been posted to 27-9-1994 for filing written statement by the management. On the date both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central), Bhubaneswar. They have further stated that in view of the compromise, a no dispute award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission and the settlement arrived at between them before the R.L.C(C), a no dispute award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Dated : 26-10-1994

P. K. TRIPATHY, Presiding Officer.

नई शिल्पी, 9 नवंबर, 1994

कामा. 3421.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में, हंडियन रेपर अर्थ लिमिटेड, छतरपुर, जिला—गनजाम. के प्रबंधनातंत के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकारण, उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय वरकार को 08-11-94 को प्राप्त हुआ था।

[राज्या प्रभ-29012/67/91-आईपार (पिस)]

बी. एम. बेत्रिड, ईस्क अधिकारी

New Delhi, the 9th November, 1994

S.O. 3421.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar. As shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Indian Rare Earth Ltd., (OSCOM) Chhatrapur, Distt. Ganjam and their workmen, which was received by the Central Government on 08-11-94.

[No. L-29012/67/91-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA,
BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A. LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 6 of 1993 (Central)

Bhubaneswar, the 29th October, 1994

BETWEEN

The management of M/s. Indian Rare Earth Ltd.,
(OSCOM), Chhatrapur, Distt. Ganjam.
..First party—management.

AND

Their workmen represented through Rare Earth Employees Union (OSCOM), P.O. Matikhalo, Distt. Ganjam. ..Second party—
workmen.

APPEARANCES :

Sri S. K. Patra, Asstt. Manager (Personnel).—
For the first party—management.

Sri A. K. Choudhury, General Secretary of the
Union.—For the second party—workmen.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred upon it by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-29012/67/91-IR-(Misc.) dated 3-2-1993.

“Whether the action of the management of Indian Rare Earth Ltd. is justified in not granting to the employees who were appointed as trainees in their (Mining) Establishment for the training period. If not, to what relief they are entitled to?”

2. This case had been posted to 22-9-1994 for filing written statement by the management. On that date the representatives of both the parties by filing a memo stated that the dispute under reference has already been resolved amicably between the parties before the Regional Labour Commissioner (Central) Bhubaneswar. They have further stated that in view of the compromise, a no dispute Award may be passed. The terms of the compromise are read over and explained to both the parties to which they admitted to be true and correct. On perusal of the tripartite settlement, it appears that the dispute under reference has already been settled between the parties.

3. Hence, keeping in view the aforesaid submission of the parties and the settlement arrived at between them before the R.L.C. (Central) Bhubaneswar, a no dispute Award is passed in so far as the present reference is concerned. Dictated and corrected by me.

P. K. TRIPATHY, Presiding Officer.

Dated : 29-10-1994.

नंद किलो, 10 नवम्बर, 1994

कान्ता. 3422.—आधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार भारतीय जोकर बोर्ड नियम के प्रत्येक रेंट संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औधोगिक विवाद में औधोगिक अधिकरण, अन्यथा के पंचपट को प्रकाशित करते हैं, जो केन्द्रीय सरकार को 10-11-94 को प्राप्त हुया था।

[संख्या एफ-17012/63/91-प्राई-आर. (बी-2)]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 10th November, 1994

S.O. 3422.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Alleppey as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 10-11-94.

[No. L-17012/63/91-JR (B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, ALLEPPEY

(Dated this the 17th day of October, 1994)

PRESENT :

Shri K. Kanakachandran, Industrial Tribunal.

I.D. No. 15/92

BETWEEN

The Senior Divisional Manager, Life Insurance Corporation of India, "Jeevan Prakash", M. G. Road, Ernakulam, Cochin-682 011.

AND

The Workman of the above concern represented by the General Secretary, L.I.C. Employees' Union, C/o. LIC of India, Divisional Office, Ernakulam, Cochin-682 011.

REPRESENTATIONS :

M/s. Easwar & Mani,
Advocates, Ernakulam,
Kochi-682 035. —For Management.

Sri. Thomas Antony Kallenpally
Advocate, 40/1307 F
Kaloor Market,
Desabhamani Junction,
Cochin-682 017. —For Union.

AWARD

1. Government of India by the order dated 25-3-1992 (Order No. L-17012/63/91-IR (B. II) had referred the following dispute for adjudication to this Tribunal. The issue reads as follows :—

"Whether the action of the management of Life Insurance Corporation of India in terminating the services of Shri P. J. Thomas, Temporary Engineering Assistant (Electrical Gr. III) at Ernakulam w.e.f. 2-9-1987 is justified ? If not, to what relief the workman is entitled to ?".

2. In the claim statement filed by the union it is stated that for getting the High Tension Electricity connection in the newly constructed Divisional Office building of the Life Insurance Corporation at Ernakulam, a qualified person was required as per the Indian Electricity Rules. The workman herein, who was working under the Electrical Contractor who had carried out electrical works in the building was approached by the management to do the work of Supervisor. Since he being a qualified person he reasonably believed that the appointment offered to him though temporarily in the beginning would be a permanent one later. On that impression he started attending of electrical work in the management's buildings from 2-1-1987 onwards. Seeking of application

from him and appointment order issued thereafter were at the initiative of management because a qualified technician was urgently required in the buildings. The workman who was thus appointed as an Engineering Assistant (Electrical Grade-III) reported for duty on 14-1-1987. His appointment was on temporary basis in a permanent post. The workman continued in service till 1-9-1987 on which day he was told that the period of his appointment was over and a termination letter would be sent to him. Subsequently, as informed, he was served with a termination letter on 15-9-1987. It is the case of the union that the workman had worked from 14-1-1987 to 15-9-1987 without any break. While he was working as Engineering Assistant Grade-III, no other person was appointed in that post. Although he was working continuously, in the records, the periods of his service were restricted to a block of 60 days. Such kind of maintaining of records was not intimated to him. While he was working as an Engineering Assistant, he was required to maintain log books and other records connected with the high tension installation. The break effected to his service by the management was artificial. He was paid salary from 14-1-1987 to 1-9-1987. Since he had worked for more than 8 months continuously, he is entitled for protection as envisaged in Sec. 25F of the I.D. Act. The Workman had challenged his termination of service before the Appellate Authority under the Kerala Shops and Commercial Establishment Act. In that appeal No. 27 of 1987, after hearing both sides, the Appellate Authority directed the management to reinstate the workman and pay him compensation. The management challenged the order of the Appellate Authority under the Shop Act by filing writ petition before the High Court. The High Court allowed the writ petition by holding that the LIC of India will not come under the Shop Act since it being an establishment under the Central Government. Therefore he raised this dispute under the Industrial Disputes Act. Since he is a workman coming under the purview of I.D. Act, he is entitled to all protection envisaged in the I.D. Act. Therefore he makes plea for reinstatement in service with the benefit of back wages.

3. The management party filed a detailed written statement. In that it is stated that any of the provisions of the Industrial dispute does not say that a workman who completes 240 days of service during a period of one year would be entitled to get permanency. Moreover there is no provision in the Industrial Disputes Act which enjoins an employer to give permanency to an employee who is having more than 240 days of continuous service. In the case of workman concerned, he does not satisfy even the condition of 240 days of continuous service. The Life Insurance Corporation of India was established under the LIC Act, 1956 and in the exercise of power under Sec. 49 of the Act, the LIC had framed regulations regarding the conditions of service of the employees including qualifications and method of recruitment of its employees. For the appointment of temporary workers, instructions issued by the Chairman of the LIC of India on 2-2-1976 will govern. A new divisional office of the LIC of India started func-

tioning in July 1986 in the newly built multi-storeyed building at M.G. Road, Ernakulam. The construction of the building was not completed when the divisional office started functioning with a skeleton staff. The electrical installations were carried out through contractors viz., M/s. Reunion Engineering Company (Private Ltd.). The Electrical Inspector after inspecting the Electrical Installation works had accorded sanction with a condition that a person who satisfies the qualification provided in Rule 3 of the Indian Electricity Rules should be appointed immediately for the day to day operation of the High Tension installations. Because of the insistence of such a condition, the workman who was working as a Supervisor under the Electrical Contractor was entrusted with that job. He had submitted an application on 12-1-1987 to the Divisional Manager, Ernakulam for appointing him as Electrical Supervisor. Normally temporary appointments in the LIC had to be made in accordance with circular issued from the Headquarters. The appointment of person in the LIC of India could be done only after getting specific sanctioning by Controlling Officers. The required sanction for the post of Electrical Supervisor|Engineering Assistant was not received at the time when electrical equipments were put to commissioning in the building. In view of the urgency of the matter after having consultation with the higher authorities, a decision was taken to appoint the workman as Electrical Assistant Grade-III purely on temporary basis. Accordingly the workman was offered temporary appointment by an order dated 14-1-1987 by the Divisional Manager. The order dated 14-1-1987 was purely on badal basis for a period of 45 days with effect from 14-1-1987. That conditional order was accepted by the workman and on expiry of 45 days he has given an extension for 15 days with effect from 28-2-1987. On 14-3-1987 itself he was relieved. Subsequently by another letter dated 14-3-1987 he was appointed for 30 more days subject to the same terms and conditions. In the same manner he was given temporary appointments for short durations and the period of last of the appointment given to him had expired on 1-9-1987. During the period of this temporary appointment, he had drawn salary upto 1-9-1987. Various periods during which he had worked had also been stated in paragraph 39 of the counter statement. While giving temporary appointment at each occasion, the workman was informed that the appointment given to him would be purely on temporary basis. The vacancy of Electrical Assistant Grade III was notified to the Employment Exchange on 11-8-1987 and accordingly a panel of candidates sponsored by the Employment Exchange were interviewed and selected. A selected candidate is now employed in the Divisional Office as Electrical Assistant Grade-III. Having accepted the relief from service on each term of appointment, the workman cannot contend that he is entitled for continued employment. The contention of the workman that he had completed 240 days of continuous service is not acceptable. Even according to the union he had worked only from 14-1-1987 to 15-9-1987. The termination of his service was strictly on the cessation of the period of temporary appointment. Therefore the termination of his service

will not come under the definition of retrenchment as defined in Sec. 2(oo) of the Industrial Disputes Act.

4. The workman and the management adduced evidence. The case of the workman is that he commenced service as Engineering Assistant Grade-III from 2-1-1987. Before his appointment on temporary basis, he worked as Engineering Supervisor in an Electrical Company viz., Reunion Ltd., for carrying out electrical installation work in the building under construction which is owned by the LIC of India. Since there was 11 kV Sub-Station exclusively for the building, technically qualified electrician was necessary as per the Electricity Rules and considering his experience the management offered appointment to him as Engineering Assistant Grade-III. At the time of appointment he was given the assurance that he would be appointed on regular basis after completing the procedural formalities. On the basis of such understanding he was asked to give a formal application. The application dated 12-1-1987 was produced by the management and that was marked as Ext. M3. It is also his case that after the appointment with effect from 14-1-1987, he was working continuously till the date of his termination. Since he rendered 240 days of continuous service, he is entitled to get all the benefits contemplated under Sec. 25 F of the I.D. Act.

5. On the side of the management, their personal and Industrial Relations Manager in the Divisional Office was examined as MW1. At the disputed period MW1 was not working in the Ernakulam Divisional Office. He joined Ernakulam office only on 5-7-93. He tendered evidence on the basis of records available in the LIC Divisional Office. The version of MW1 is that the workman's appointment as Engineering Assistant (Electrical Grade-III) was only as a badaly worker. According to him, even for making badaly appointment, the management will have to follow the circulars issued by the Central Office of the LIC from time to time. As per Ext. M1 circular dated 2-2-1976 badaly appointment cannot be given for a period exceeding 220 days and those 220 days will include paid holidays and the leave admissible under the Shop and Commercial Establishment Act. It is further insisted in the Ext. M1 that after a continuous spell of 85 days, there must be a break of three working days.

6. Ext. M1 circular will show that badaly appointment is possible only in respect of Class IV staff in different categories. There is no material to show that Engineering Assistant Grade-III is the post coming under Class IV category.

7. After the initial appointment by Ex. M4 order, for 45 days, the workman was given appointment for another 30 days from 19-3-1987 with the same terms and conditions contained in Ext. M4. Ext. M10, M11 and M13 are the other orders produced by the management giving short term appointments. The relieving orders issued after the expiry of terms of appointment were also produced by the management. Ext. M14 is the last of the order relieving the workman with effect from 1-9-1987. From these orders it can be seen that the workman rendered

service from 14-1-1987 to 1-9-1987. During this period it is the claim of the workman that he worked for 240 days. How far such a contention is sustainable—that has to be examined.

8. After the adducing of evidence by both sides, a petition for re-opening of the evidence was filed by the workman for permitting him to adduce additional documentary evidence. Since that petition was not opposed, the workman was permitted to bring in evidence a photocopy of the log book said to be maintained at the management establishment during the period from 16-1-1987 to 31-8-1987. That log book is duly attested by the Joint Labour Commissioner, Ernakulam. The contention of the workman is that the original of some log book was produced at the conciliation stage by the management before the labour officials. From the log book which is produced by the workman and latter marked on consensus as Ext. W1, it can be seen that total actual service rendered by the workman was from 16-1-1987 to 31-8-1987. In any count the total number of days during that period will not be 240 even by including all the holidays and permitted national and festival holidays. Therefore the contention of the workman that he had 240 days of service at the time of termination of his service cannot be accepted. If the entries in the log book which he relies on is like that, his claim that he worked upto 15-9-1987 cannot be accepted. There is no other evidence to substantiate his case. The entries in the log book and the particulars contained in Ext. M14 relieving order will only support the case of the management that the workman was relieved as per Ex. M14 on 1-9-1987. If he was paid salary, that can also be only up to that date. In view of this position, the workman's contention that he is entitled to get all the protection envisaged in Sec. 25 F of the I. D. Act is not sustainable because the total number of days he could work during the period from 14-1-1987 to 1-9-1987 can only be 229 days.

9. In the result, an award is passed holding that for no relief the Workman is entitled.

(Dated this the 17th day of October, 1994).

K. KANAKACHANDRAN, Industrial Tribunal

APPENDIX

(I.D. No. 1592)

Witness examined on the side of the Management:—

MW1 : C. P. Joseph.

Witnesses examined on the side of the Union:—

WW1 : P. J. Thomas.

WW2 : Sebastian

Exhibits marked on the side of the Management:—

M1 : Circular dated 2-2-1976 issued by the LIC of India.

M2 : Circular No: ZD/554/ASP/83 dated 27-1-1983.

M3 : Application of workman dated 12-1-1987 for appointment.

M4 : Letter dated 14-1-1987 from the Divisional Manager, LIC of India, Cochin-11.

M5 : Order dated 27-2-1987.

M6 : Letter dated 22-8-1987 from the Divisional Manager.

M7 : Letter dated 19-3-1987 from the Divisional Manager.

M8 : Letter dated 16-4-1987 from the Divisional Manager.

M9 : Relieving order dated 16-5-1987.

M10 : Letter dated 21-5-1987.

M11 : Letter dated 20-6-1987.

M12 : Relieving order dated 18-7-1987.

M13 : Letter dated 23-7-1987.

M14 : Relieving order dated 1-9-1987.

M15 : Salary Certificate dated 1-9-1987.

Exhibits marked on the side of the Union :—

W1 : Attested photocopy of Log Book.

नई दिल्ली, 11 नवम्बर, 1994

का.प्रा. 3423.—आंतर्राष्ट्रीय विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार इयूट्स बैंक के प्रबंधन संबंध नियोजिकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंतर्राष्ट्रीय विवाद में केन्द्रीय सरकार आंतर्राष्ट्रीय अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-94 को प्राप्त हुआ था।

[संख्या प.ल. 12011/7/93—आई बाट (बॉ-1)]
पी.जे. माईकल, ईस्ट अधिकारी

New Delhi, the 11th November, 1994

S.O. 3423.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Deutsche Bank and their workmen, which was received by the Central Government on the 11-11-1994.

[No. L-12011/7/93-IR(BI)]

P. J. MICHAEL, Desk Officer.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 20/93

In the matter of dispute between :

S|Shri Suresh Kumar, Shyam Salera and Ram Singh through the General Secretary, New Delhi General Mazdoor Union, B-89, Gulmohar Park, New Delhi-410049.

Versus

The Manager, Deutsche Bank, Tolstoy House, 15-17, Tolstoy Marg, New Delhi-110001.

APPEARANCES :

Shri T. M. Nagarjan for the workmen.
Shri H. L. Raina for the Management.

AWARD

The Central Government in the Ministry of Labour vide Order No. L-12011/7/93-IRBI dated 23-2-1993 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether S|Shri Suresh Kumar, Shyam Salera and Ram Singh, Messengers, are the workmen of Deutsche Bank ? If so, whether the action of the Management of Deutsche Bank in terminating the services of S|Shri Suresh Kumar, Shyam Salera and Ram Singh w.e.f. 18-9-1992 was legal and justified ? If not, to what relief they are entitled to ?"

2. During the pendency of the case the parties filed an application on 5-10-1994 requesting the case to be taken up at the parties had settled the matter.

3. Statements of the parties were recorded. They stated that the matter has since been settled and no dispute exist between the parties and No Dispute award may be given.

4. In view of the statement of the parties no dispute exist and a No Dispute award is given in this case leaving the parties to bear their own costs.

GANPATI SHARMA, Presiding Officer.

5th October, 1994

नई दिल्ली, 15 नवम्बर, 1994

का.प्रा. 3424.—कर्मचारी भवित्व विभ्रं एवं प्रकाश उपबंध अधिनियम, 1952 (1952 का 19) की धारा 5क की उपकारा (1) द्वारा प्रदत्त अलितयों का प्रयोग वर्गने हुए केन्द्रीय सरकार केन्द्रीय न्यायी शोई में श्री फटिक धोपे के ग्राम पर और तप्पम दस्ता को सदराय के रूप में नियुक्त करनी है और 13 फरवरी, 1995 को भारत के राजपत्र, असाधारण, के भाग-II चंड 3, उपचंड (ii) में प्रकाशि

भारत सरकार के श्रम मंत्रालय की दिनांक 12 फरवरी, 1991 की अधिसूचना कान्फ्रा. संख्या 92(ए) में निम्न-लिखित संशोधन करती है। उक्त अधिसूचना में श्रम संख्या 42 के मामले और इसमें संबंधित प्रतिलिपियों के लिए निम्न-लिखित प्रतिलिपियां किया जाएंगा, अर्थात्:—

श्री तपस दत्ता,
महा सचिव,
यूनाइटेड ट्रेड यूनियन मेंटर
(लेनिन सरणी)
72/2/1, लेनिन सरणी,
कलकत्ता-13

[नं. श्री-20012/1/93-एस-एस-II]
जे. पी. शुक्ला, अध्यक्ष सचिव

New Delhi, the 15th November, 1994

S.O. 3424.—In exercise of the powers conferred by sub-section (1) of the Section 5A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby appoints Shri Tapas Dutta, as a member of the Central Board of Trustees in place of Sri Fatick Ghosh and makes the following amendment in the notification of the Govt. of India in the Ministry of Labour S.O. No. 92(E) dated the 12th February, 1991 published in Part II, Section 3, Sub-section (ii) of the Gazette of India Extraordinary dated the 13th February, 1991.

In the said notification against serial No. 42 and entries relating thereto the following shall be substituted namely:—

Shri Tapas Dutta,
General Secretary,
United Trade Union Centre (Lenin Sarani),
72/2/1, Lenin Sarani,
Calcutta-13.

[No. V-20012/1/93-SS. II]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 15 नवंबर, 1994

ता.श्रा. 3425.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना आवश्यक है कि भारतीय खाद्य निगम सेवा बोर्ड, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को प्रथम अनुसूची की प्रविष्टि 6 के अंतर्गत आती है उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए;

अतः यह, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (vi) द्वारा प्रदत्त अवितरीय का प्रयोग कर्वा हुए केन्द्रीय सरकार, उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए छह माह की अवधि तक के लिए तन्काल लोक उपयोगी सेवा घोषित करती है।

[नं. एस-11017/5/91-आई.आर (पानिमी विधायी)]

प.ए. पराशर, गवर्नर मन्त्रिव

New Delhi, the 15th November, 1994

S.O. 3425.—Whereas the Central Government is satisfied that the public interest requires that the services in the Food Corporation of India, which are covered by entry 6 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act, for a period of six months.

[No. S-11017/5/91-IR (PL)]

S. S. PARASHER, Under Secy.

